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Michael Harrington

# Social Retreat and Economic Stagnation

## I

On this eve of the 1980s, American capitalism is in the midst of a crisis that bewilders the conventional wisdom of both liberals and conservatives. The nation is, in a sense, in a period resembling the years between 1919 and 1933: a critical problem has emerged that the established theory can neither comprehend nor master; the old order is cracked, the new order has not yet emerged. Then it was the mass unemployment of the Great Depression that could not be understood or controlled; now it is simultaneous joblessness and inflation.

The working people of America are under attack. During the '70s, their real buying power declined in four out of eight years; the average manufacturing wage in 1977 was $103.97, or $6.00 less than in 1972. A moderate proposal to give unorganized workers the democratic right to choose a union was defeated in Congress last year as the corporate rich mounted an effective onslaught, a class struggle from the right.

This is also a time of growing social meanness. The rights of conscience are assaulted as "anti-choice" forces try to legally compel a majority of American women to follow a moral code on abortion in which they do not believe. The poor and the minorities are being ignored by the policy-makers and rendered invisible by the statisticians. Laws protecting sexual minorities from discrimination have been repealed.

The President is incapable of meeting the challenge. He follows the game plan that did not work for Richard Nixon in 1969-71; he increases military spending and proposes wasting funds on a fraud called civil defense; his budget strikes at the cities, the poor, the minorities, and women even as he endorsed the scandalous congressional increase in welfare for the rich last year.

Jimmy Carter is, in short, engaged in a "war against inflation" that is both socially cruel and economically ineffective. Elected on a pledge to achieve full employment, he now openly proposes to deliberately increase unemployment.

## II

WHEN JIMMY CARTER SHIFTED the governmental focus from full employment to inflation, he obscured the central issue before the country and guaranteed that his Administration would retreat, not simply from the pledges of the 1976 Democratic platform, but from the liberal heritage of the New Deal.

Our central problem is *not* inflation—it is stagflation, a situation in which chronic joblessness and high prices reinforce one another, producing unhappy, fearful prosperities and unprecedented kinds of recession. By looking at one-half of this integrated evil, the Administration ignores the enormous social cost of its own unworkable anti-inflation policies. It does so not out of ill will but because it literally cannot understand what is happening today, for its ideology does not allow it to mention, or even see, the decisive role of corporate power in this crisis.

A mere ten years ago, Lyndon Johnson's outgoing Council of Economic Advisers summarized the conventional wisdom. Prosperity, it proudly said, was now "the normal stage of the American economy." The crucial "unsolved problem" was "reconciling prosperity at high



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employment with price stability. . . ." A chart showed clearly how high rates of unemployment brought low prices—6.7 percent joblessness held inflation down to just a bit above 1 percent in 1961—and high employment threatened rising prices. Incredible as it now seems, they were worried in 1969 because the inflation rate had almost reached 4 percent.

That theory has clearly been exploded by the stagflation of the '70s, yet Carter is following policies based on that demonstrably obsolete analysis. Like Richard Nixon in 1969, he has decided to "trade off" an intentional and managed slowdown for relief from inflation. The Administration is tightening up credit, which will bring both inflation *and* recession in the housing sector. It will cut back on the social budget, which will hurt the poor *and* further deteriorate the quality of life for all but will *not* have any significant impact upon inflation. It will raise the military budget, which not only steps up an arms race threatening human existence itself but also feeds inflation by creating income yet not goods and services.

Under such circumstances, the President has to retreat from the New Deal. There can be no progressive solution to any major problem in American life unless there is full employment. With chronic joblessness increasing in the next period—and the only debate being on how high it will go—the employed workers will find themselves on the defensive, fearful of layoffs and asked to hold down their consumption. The minorities will not be able to challenge their systemically inferior position in the occupational structure since *they will suffer from the "downturn" at roughly twice the rate of immiseration as the white majority*. And women will not only be kept in their insecure and underpaid "place" by these trends; they will be blamed for the crisis on the grounds that there are "too many" of them in the labor market.

We need not speculate about these matters. There is an abundance of sad history at hand. There were people within the Administration who almost got the President to postpone the enforcement of measures against brown-lung disease on the ground that they were inflationary. Had that line prevailed, its cost would have been paid for in premature deaths. At this very moment, strip-mining restrictions, protecting our natural heritage, are being held in abeyance for the same reason.

There is one more example of this trend, and it is perhaps the most revealing. The Administration is actively considering cutting back on some Social Security benefits. To begin with, Social Security is the centerpiece of the welfare state created by the New Deal. First of all, Social Security benefits and Medicare do account for about two-thirds of domestic social spending. Second, Social Security has always been enormously popular in this country because it recognizes a right. Indeed, most people don't even know that there is a welfare component in the system; they think that people get what they pay in and that is why, until quite recently, few Americans attacked the regressive Social Security tax. It was, ironically, the most unfair, and the least criticized, of federal levies.

Now Mr. Carter is moving toward cuts in that system—i.e., in the very heart of the welfare state. One of those proposals involves abandoning the "minimum benefit"—which guarantees $120 a month, no matter how little a low-paid worker had contributed—and to shift the affected people to the Supplemental Security Income Program. The amount of money involved, even when projected over three or four years, is negligible. But why, then, should we rise up in arms against such a move? Because it deprives American workers of a right and substitutes for it a means-tested welfare payment that costs less; because it violates a basic promise we have made to the aging. And because that "economy," a major cruelty for those who suffer from it, will do little, or nothing, to check inflation.

## III

ALL OF MR. CARTER'S BUDGET CUTS, *taken together, will not seriously affect the inflation rate*. In a $2 trillion-plus economy, those savings are of no great consequence and, in any case, the problem is not the aging with too much money, or workers with too much money; the problem is corporate power expressing itself in a variety of ways. In other words, the President is playing symbolic politics with real lives; he is establishing his fiscal virtue and austerity in the anti-inflation struggle by attacking the most vulnerable people in a way that will not hold down inflation. If this approach continues, it will be fair to speak of the unraveling of the New Deal under the leadership of a Democratic president elected by a modern version of the New Deal coalition.

It is surely not the budget cuts alone that are both humanly hurtful and economically ineffective. The same can be said for the unemployment that the Administration's policies will bring. In January 1978, Mr. Carter's own Council of Economic Advisers was very frank on this count. It would take, the Council said, six years of "*very high*"



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unemployment and $600 billion in lost revenues to have a significant impact upon inflation by means of a slow-down. But Carter cannot and will not allow such a catastrophe, for it would assure his defeat in 1980. He will be cruel but not sufficiently cruel to achieve his purposes. *And what we will get is more inflation and more unemployment at the same time.*

It has long been the "wisdom" of the capitalist system that, as Arthur Burns recently put it to the American Enterprise Institute, "however regrettable recessions may be, it is a mistake to view them as simply being pathological phenomena. In fact, recession often performs an unavoidable function . . . by wringing some of the inflation out of the economic system." That was the tack taken by Mr. Burns's co-thinker Richard Nixon in 1969—and it didn't work then. This is the tack taken now by the man who defeated Gerald Ford in 1976 by saying that unemployment was the key issue for the nation—and it will not work for him. Jimmy Carter is moving superbly to achieve the worst of several intolerable worlds—a world that will oscillate between high unemployment and higher unemployment, high prices and higher prices.

Still, it would be wrong to see these events as the fault of a single individual, even when that individual is the most powerful elected official in the nation. Jimmy Carter is faced with a new, structural crisis of the system. It is no accident that he finds no theory, no policy, to guide him, for on the very eve of the past decade's ride on the economic roller coaster the best mainstream theorists were telling the nation that prosperity was the "normal state" of the American economy. Why were they so wrong?

## IV

IN ITS DAY, the New Deal seemed to be a radical experiment and it was militantly opposed by those who—through no fault of their own and little intention of the reformers—turned out to be the major beneficiaries of reform: the corporate rich who have made much more money off welfare capitalism than they ever earned from Adam Smith capitalism. Indeed, we can now recognize that there was a conservative premise in the New Deal that honestly wanted to take on the economic royalists. That premise was: the basic corporate infrastructure was and is sound; the optimum allocation of resources, efficiency, and higher living standards of the masses are derived from private, profit-maximizing decisions in the boardroom. It is the function of government to create an economic environment in which sound capitalist principles can function. A little fiscal and monetary fine-tuning, and that can be done.

It was not true then, and it is even less true today. First of all, capitalism today is much more concentrated, which means that the market power of gigantic oligopolies has increased enormously. Between 1929 and 1933, when joblessness engulfed approximately one-fourth of the labor force, prices went down by roughly 25 percent. In 1974, when unemployment headed for the highest levels since the Great Depression, prices soared at the same time (and began to do so *before* the OPEC oil embargo). GM's decision to raise the sticker price of its cars by $1,000 in the midst of a recession can be taken as an appropriate symbol of that structural change in capitalism.

Second, the emergence of multinational capitalism after World War II effectively has deprived national policy-makers of control over the money supply that is at their disposal. There is an enormous Eurodollar market that does not obey the dictates of the Federal Reserve; there is electronic speculation on a global scale carried out via satellites, reinforcing and profiteering from the weakness of any given currency.

Third, American capitalism has lost the advantages of having won a war without suffering destruction at home and then providing the technology for the restoration of European and Japanese capitalism—at a price. This country faces intracapitalist competition of a kind that did not exist until the '60s. The steel industry, which now needs inflation "trigger prices" in order to survive, is the most obvious case in point. But then, the problem here is not simply Europe and Japan. Some Third World industries can now compete with the United States, Europe, and Japan. Shipbuilding is the prime example.

Fourth, there are a number of sectoral crises in the American economy that are both inflationary and impervious to cure by recession. Our antiquated system of fee-for-service medicine paid for by third-party insurers is not only unjust, it is a leading source of inflation. Our housing industry—if one can dignify that Rube Goldberg sector with such a name—has been victimized by ups and downs of monetary policy for a generation and is getting ready for another inflated recession. In agriculture, family farmers suffer, while agribusiness, including huge export corporations, prospers as a result of multibillion-dollar subsidies that raise prices for the consumer. And our energy policy has, since the 1920s, paid out billions to huge



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corporations, which then caused us to be unnecessarily dependent on Arab oil, criminally wasteful, and backward in the development of environmentally benign technologies.

Notice that at every point in this account of the structural sources of inflation it is corporate power that is crucial. The problem is not wages, which have chased after prices; it is not federal spending, which has fluctuated within a narrow band as a percentage of full-employment GNP; it's corporate power. That corporate power favors periodic recession as Arthur Burns has told us and as the *Wall Street Journal* boldly proclaimed when it headed a December story: "Businessmen: Let Slowdown Come." *Corporate power needs periodic recessions but it no longer is forced to respond to them by lowering prices.* On the contrary, a recession becomes an incitement to raise prices in order to maintain profitability on the basis of a declining volume.

## V

THIS ANALYSIS POINTS in the direction of a democratic left program. There must be united action —

- to fight any cuts in social spending in the federal budget;
- to develop a full-employment plan rather than planning for a recession, as is now the case;
- to reject the increase in military spending and to redouble American efforts to negotiate an end of the arms race;
- to finance an extension of social services and an improvement in the quality of life by redistributive tax policies based on ability to pay;
- to begin the process of making the decision process in giant corporations transparent by requiring them to give advance notice of, and to defend publicly, any price increases;
- to enact a national health program with progressive financing;
- to create a public energy corporation, charged with the responsibility to develop publicly owned oil and gas deposits, and to develop solar technology on a human scale and tear away the veil of secrecy that now hides the activity of—and even the basic data about—oil multinationals;
- to allocate credit for housing by requiring all banks that are beneficiaries of federal services to provide a specified percentage of their loans to socially useful investments in their geographic area;
- to restructure the federal agricultural support system so as to favor family farmers rather than agribusiness and allow the consumer to get the benefit of unrestricted output.

Almost every one of these demands directly counters stagflation by attacking its real sources: administered prices and targeted profits, the sectoral costs in health, housing, food, and fuel—and military spending, which does not purchase national security but creates buying power. In this regard, the democratic left approach contrasts sharply with that of a Carter administration that engages in cruel but empty gestures based on obsolete economics.

Within the liberal-labor coalition, socialists will point the way beyond this immediate program. Let me cite just a few instances of what that might mean. It is critical that private, profit-maximizing, corporate control of investment decisions be abolished. When we propose a series of particular reforms, they are inspired by that general purpose.

THERE SHOULD BE—

- public and employee members on the board of directors of every major corporation;
- "collective profit-sharing" whereby a portion of profits in an enterprise is paid, in the form of equity capital, into a worker-controlled fund that will actively participate in decision-making;
- worker self-management at every level of production, in the services and professions as well as industry;
- democratic control by the public of collective sources of new capital, like pension funds;
- federal support for the extension of the cooperative principle at the local and neighborhood level. □

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### To Our Contributors

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—The Editors

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H. Brand

# Budgetary Policy and the Crisis of the Welfare State

The federal budget for the fiscal year 1980 proposes a socially regressive shift in national priorities. It uses fiscal policy to engender higher levels of unemployment. It shifts the burden of fighting inflation to those least able to bear it, while providing for large, inherently inflationary increases in military spending. In contrast to earlier budgets, the one for 1980 has been formulated in terms of international financial policies; the planned curtailment of the budgetary deficit and cutbacks in nonmilitary expenditures are meant to demonstrate the seriousness of the Administration's support for the exchange value of the dollar. The reflation of the dollar as the international currency is to occur at the expense of the disadvantaged.

The budget confirms again that full employment has ceased to be a goal for the Administration. It projects unemployment rates of 6.2 percent of the labor force for both the end of 1979 and the end of 1980, while severely reducing public employment programs in addition to many other employment-creating outlays. It enlists "budget restraint" as part of its anti-inflationary plan, also claiming that "some slowing of economic growth is . . . necessary." Slowed growth and budget restraint must result in unemployment rates well above 4 percent for years to come, according to the Administration's own projections.

Prior to publishing the budget, the Administration, with its repellent mix of guile and irresoluteness, partly "restored" cuts in social expenditures previously announced, in an attempt to show its humanitarianism. The budget has many expressions of such concerns, but the proposed spending figures prove they are not genuine.

A few representative examples: When outlays for human services—i.e., community and regional development, education, training, employment and social services, health, income security—are adjusted for the projected trend in prices, it turns out that *the Administration plans a cutback in excess of at least $9 billion in 1980*. That sum is roughly three-quarters of the $12.5 billion by which total current services in the budget are expected to decline in 1980 after the "inflation adjustment." Inasmuch as most of the income security outlays are already indexed to the cost of living by law, the full brunt of the $9-billion decline falls on the other human services. Public service employment alone is to be cut back by $1.3 billion in 1980, or $1.4 billion when adjusted for expected cost rises. Grants to states and localities, while slated for an increase of $800 million, will actually shrink by nearly $5 billion when so adjusted. (I have used the 6.7 percent increase in the Consumer Price Index for 1980 projected in the budget, to arrive at the adjustments.)

It has often been said that the human-service programs of the federal government contain much waste anyway, and they do; but this is an irrelevant, a deceitful argument, all the more so since these programs are preponderantly self-financing. If, as Philip Morrison and Paul Walker have recently shown in the *Scientific American*, U.S. military needs could be met by expenditures 40 percent *smaller* than the current ones, then the waste by the military—outlays for which do not "reflect the fiscal restraint that is one of the dominant principles of this year's budget" (the sentence occurs, naturally, in the education, employment, and social services section of the budget)—could pay *twice over* for current social welfare programs other than income support.

The military expenditure increases proposed by the Carter Administration, $11 billion, are based on no discernibly rational policy. The lack of rationale is highlighted by Carter's own words: "[Just] one of our relatively invulnerable Poseidon submarines—less than 2 percent of our total nuclear force of submarines, aircraft and land-based missiles—carries enough warheads to destroy every large and medium-sized city in the Soviet Union" (State of the Union Message). Nevertheless, a 25 percent rise in spending for strategic nuclear forces has been budgeted. Morrison and Walker write, "[The] U.S. leads the world technically in nearly every significant aspect of military hardware, non-nuclear as well as nuclear." And no one has contested this statement. Nevertheless, military Research and Development spending has been budgeted to rise another 7 percent in 1980, and will account for nearly half the government's R&D outlays. Military expenditures are often expressed as a percentage of the national product to show their relative decline in recent years, but the comparison is irrelevant. Military expenditures in the United States have



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indeed been declining when adjusted for rising costs; their levels have nonetheless remained high, considering that no large-scale wars have been fought in years. Under these circumstances, even declining expenditures give rise to ever larger inventories of armaments. Since, given high R&D spending, the technological obsolescence of armaments is constantly forced, their replacements will steadily gain in effectiveness and the military value of the inventories keeps increasing. Morrison and Walker write, " . . . [the] simplistic pursuit of military growth has . . . passed the bounds of reason." In terms simply of military requirements, there is no explanation for the Administration's now intensifying this pursuit. One must assume that it seeks to accommodate the mindless conservatism of military interests and their industrial allies, and of the more philistine strata of the American electorate.

WE NOW TURN to some broader aspects of budgetary policy. Even though the budgetary process becomes more centralized, it is in large measure shaped by forces beyond the control of the President and the Office of Management and Budget. Congress has remained impotent in setting priorities of its own. There will be opposition to, and changes in, the Administration's 1980 budget, but the relationship of forces is in its favor. Neil Kotler in *The Federal Budget and Social Reconstruction* has written that

> The most serious failing of the Budget Committees to date is their hesitancy to formulate their own budget agenda or priorities. They still defer to the President's budget . . . There has been little attempt to jettison the old yardstick of incrementalism in favor of expressly identifying national goals according to some ordering of preferences.

The Budget Act, meant to coordinate the appropriations process, has failed to restore congressional power of the purse. The political will to assert that power has, if anything, slackened in recent decades. Much has been made of the increasing "uncontrollability" of budget outlays, some 75 percent of which fall into that category in the current fiscal year. "Uncontrollable" outlays represent entitlements embedded in open-ended programs legislated in earlier years, or carry-overs of previously obligated balances. "Uncontrollability" is viewed as further restricting the power of Congress to allocate funds, and to compel the Executive to center its budget control efforts on the "controllable" portion of the budget. The "uncontrollability" of federal outlays, however, is a false issue. The true problem, to be dealt with in the remainder of this article, is the *uncontrollability of budgetary finance*, rooted in the declining relative importance of *taxation* as a source of funding outlays. The failure of Congress lies in permitting, even promoting, the erosion of the tax base, not in allowing budget expenditures to grow.

Control over budgetary finance, and particularly over stabilization policy (which uses the budget as its instrument) has likewise increasingly eluded the executive office. Not only is the effectiveness of stabilization policy declining: it is becoming part of the economic crises it supposedly prevents or alleviates. It is also coming more and more in conflict with the setting of national priorities, which are supposedly established through the budget.

The evident loss of control over federal budget financing is not by any means due—as both conservatives and many liberals argue—to its alleged rapid expansion. Taking budgetary outlays as a whole, it is quite true that they have risen relative to the national product, from 19 percent in 1960 to nearly 23 percent in 1978. But this rise is *not* tantamount to an equivalent rise in the absorption by the federal government of financial (and therefore human and capital) resources. The relative increase in budget outlays over the past two decades or so has been entirely due to increases in transfer payments, such as old-age pensions, Medicare, and unemployment insurance. These are mostly funded from payroll taxes or other ear-marked levies, i.e., *they are almost entirely self-financing*. The government's function here is merely that of a redistributive agent. But transfer payments do not involve an expansion in the "role of government" in the sense that, through them, government absorbs more resources for uses of its own. Transfer payments represent merely shifts between those who bear the payroll tax (or other ear-marked levy), and those who receive benefits (a large proportion of which must be regarded as deferred wages rather than unearned income). Also, such transfers pose no significant problems for stabilization policy; on the contrary, they ease its implementation. Nor do they pose problems of inflation, as is indicated by the substantial surpluses that their financing generates (see below).

The absorption of resources by the federal government *has actually tended to decline* in relation to both the national product and the federal budget as a whole. Purchases of goods and services by the government—used here as a rough measure of resource absorption—declined from 58 percent of the budget and 11 percent of the national



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product in 1960, to 34 percent and 7 percent in 1978. Had the government maintained its 1960 share of GNP, outlays for purchases of goods and services in 1978 would have run $69 billion higher than their actual level of $154 billion.

True, the share of nondefense purchases of goods and services rose slightly over the period—i.e., from 2 percent of the national product and 10 percent of the budget in 1960, to 3 percent and 12 percent in 1978. Apart from the smallness of these figures, they indicate that the decline in the relative importance of defense spending, which the comparisons reflect, was not to any significant extent balanced by a rise in that of nondefense spending. The notion that expansion in federal outlays has cramped the resources otherwise available to the private sector is a myth—a myth serving in particular those interests that seek to preserve high rates of private consumption and investment, and would reduce the redistributive function of the budget.

The loss of control over budget finance and stabilization policy—to return to the problem initially posed—thus cannot be ascribed to expanding federal outlays, measured in terms either of their total or of purchases of goods and services. Rather, it is proximately attributable to the increasing, and evidently permanent, shortfall in tax receipts, particularly income tax receipts; and the resultant deficit financing of expenditures other than those for the bulk of income support payments.

The budgetary deficit accounted for 4 percent of total federal outlays in 1960, and for 19 percent in the late '70s. The deficit has an economic meaning of its own, to which we will return. The deficit manifests the degradation of the function of taxation as a source of financing public services, and as a means to equilibrate the public and private sectors. (There are some leftists who reject the distinction, but in a capitalist society based on private property, it remains of fundamental importance.) The deficit is, moreover, consistently understated to the extent that the regular surpluses shown by the federal trust funds (into which payroll receipts for old-age pensions, Medicare, and various other benefit programs flow) are used to offset a part of the large shortfalls in what at one time was referred to as the administrative budget. In 1978, for example, trust funds showed a surplus of $12.7 billion, while the "administrative" budget—which covers general government operations (e.g., defense, agriculture supports) and is supposed to be financed from income, excise, and estate taxes—showed a deficit of $61.5 billion. The "actual" deficit, $48.8 billion, was reduced by the trust fund surplus.

The enormous deficit in the administrative budget suggests the magnitude of a fiscal crisis that is induced largely by the steady relative decline in income taxation. In 1978, personal and corporate income taxes accounted for 60 percent of total federal budget receipts, compared with 74 percent in 1969. By contrast, social insurance taxes and contributions accounted for 31 percent and 21 percent. *This development has of course reduced the progressivity of the tax system*, and this has impaired the ability-to-pay principle on which it is presumably based. Yet, it represents but a part of a broader trend toward the reduced relative importance of taxes in federal finance, and the use of the tax system actually to impede the shift of financial resources to the public sector. Thus, deficit finance is but one source of degradation of the tax system: let us note some others.

Among them are "off-budget" government lending; loans guaranteed by the government; and so-called tax expenditures (i.e., revenue losses attributable to provisions of the tax laws that allow special exclusions, exemptions, or deductions from gross income, or provide special credits, preferential tax rates or deferred tax liability). Outstanding off-budget loans—i.e., loans for which the budget does not account although the data are made available—amounted to more than $120 billion in 1978; new transactions amounted to $54 billion—representing the equivalent of 12 percent of the total budget outlays.

"Tax expenditures" have become a key factor undermining the progressivity of the income tax, and the ability-to-pay principle. They are supposedly "one means by which the Federal Government pursues public policy objectives and, in most cases, can be viewed as alternatives to budget outlays, credit assistance, or other policy instruments" (*Special Analyses*, Fiscal Year 1979). In effect, however, "tax expenditures" constitute a shift in resources from the public to the private sector, and to its more privileged strata at that. For example, the exclusion from taxation of employer contributions to private pension plans was worth $8.7 billion in 1977; exclusion of capital gains, $6.9 billion; the investment tax credit, close to $11 billion. Such exclusions, of course, lower taxable income. The higher the incomes, the more they are worth in tax dollars. Aside from their negative impact on the equitable distribution of the tax burden, tax expenditures contribute to eroding the



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tax base, and hence the ability to finance public-sector programs.

The loss of control over budgetary (or stabilization) policy is related to additional, equally fundamental if less immediate, reasons for erosion of the tax base. The growth in deficit finance, illustrated by the statistical relations cited, is not simply the result of tax-base erosion; nor is it explainable merely by any "compromise" between the advocates of the "welfare state" and those of the "warfare state." It is, rather, the consequence of the specific conceptualization of the role of public finance in dealing with economic stagnation.

Economic stagnation meant that the economy was operating below its potential, with potential being defined in terms of a high employment rate. It was the function of federal finance to bridge the gap between actual and potential GNP. Walter Heller, chairman of the Council of Economic Advisers under President Kennedy and the leading exponent of the "New Economics" in the early '60s, wrote in 1965 that "The appropriate impact of the budget depends on the state of the economy, rather than on the state of the government accounts." Also, "The object of policy . . . is not to balance the budget of the public sector, but to balance the economy as a whole." These statements were anything but figures of speech. They meant that *the budget should be balanced only at full employment*—while at less than full employment, the budget should be in deficit. They were echoed in 1974 by Robert Solow and Alan Blinder, who wrote that "The whole point of discretionary fiscal policy is the stabilization of economic activity at a satisfactory level in the face of fluctuations in private demand. If these fluctuations are small, then—and only then—can the budgetary response be small."

But it is not only "fluctuations" in demand that stabilization policy must deal with. A more basic point made by theorists such as Heller and Solow is that the "gap" between actual and potential GNP must be closed. That gap, however, has remained large (it was calculated at $38 billion for 1978), notwithstanding the fact that it has been figured in terms of progressively higher unemployment rates (5.1 percent of the labor force for recent years, as against 4.1 percent in the early '60s).

The fiscal theory that has underlain deficit finance since the 1960s implies a stagnationist view of the economy. This view is confirmed by the persistent gap between actual and potential GNP for all but four of the last 23 years—the four years marked by the Vietnam war. Deficits have helped maintain capitalist democracy, but, nevertheless, they are a symptom of economic pathology. They mortgage the state's real resources and, because of the manner in which they are financed—by means of securities of ever shorter maturities, ever more easily liquidable—they represent a major source of inflation. The extent to which the economy has become dependent upon them is indicated by recent debt figures. Between the third quarter of 1975 and the third quarter of 1978, a period of cyclical expansion, U.S. government debt rose 51 percent. That compares as follows with previous expansionary periods of similar length: 20 percent in 1971-74; 8 percent in 1961-64; and zero in 1954-57. A fiscal theory that, on grounds of insufficient private demand, rationalizes a rise in the national debt by one-half in a period of relative prosperity and of relative decline in the military budget is bankrupt.

IT WILL PERHAPS BE SAID that the Carter administration's planned reduction in the budget deficit conforms with some of the ideas expressed here. No, it does not. The ideas I am advancing all basically point to *a strengthened federal sector*, and to a halt in the erosion of the federal tax base and its progressivity. Carter's planned deficit reduction proceeds in an entirely different context. First of all, it will not be the result of a sounder tax base. On the contrary, income taxes were slashed by $19 billion only two months prior to the issuance of the "lean and austere" 1980 budget. Second, the deficit is to be cut in the framework of the continued planned decline in the relative importance of federal purchases of goods and services, i.e., the continued contraction of the (federal) public sector. Finally, the smaller deficit will not result from the expectation of a diminished "gap" between actual and potential GNP. On the contrary, as has been noted, the unemployment rate (a crude measure of the "gap") is projected to rise to 6.2 percent by the end of this year, to remain unchanged through 1980, and then to decline to a level still well above 5 percent by the end of 1981. The reduction of the deficit is thus planned in the face of continued stagnationist trends in the economy.

Intended to mitigate the business cycle, stabilization policy has become increasingly subverted, and it aggravates what it is supposed to alleviate. Budget deficits, meant to dampen cyclical downturns, now also accompany recoveries, intensifying inflation. In turn, inflation is fought by deliberately inducing a slowdown, whose eventual reversal



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requires renewed inflationary finance (i.e., still greater deficits). The Carter administration is virtually repeating the Nixon administration's policy of "restraint" of 1969-70, and the Ford administration's tightened monetary policy of 1974; it will assuredly likewise attempt to "stimulate" the economy once the slowdown deepens. " . . . [the] resemblances among the three recessions of the last decade [i.e., 1967, 1970, and 1975] are suggestively strong and progressive; they all took their basic energy from periodic, intense struggles of economic policy . . . with a rising tide of inflation," as Albert Sommers of the Conference Board has written. Yet, stabilization policy was originally conceived to minimize the social costs of the business cycle. Instead, it has enormously raised them, in terms of unemployment, fiscal stringencies among states and localities, and lost output. In this sense, it has not only failed to deal with the cyclical fluctuations and stagnationist tendencies of the capitalist economy; it has also become part of the problem of instability and "stagflation."

In the absence of comprehensive national planning of capital investment and enforceable price controls, stabilization efforts will probably continue to guide the economy for many years. The instrumentality for these efforts can only be the federal budget, and thus they are bound to come increasingly in conflict with the setting of national priorities. To be sure, throughout the postwar period, national priorities have been hostage to stabilization policy enforced by the Office of Management and Budget. The inherent conflict between stabilization policy and the setting of national priorities was manageable so long as a reasonable relation between tax revenues and expenditures could be assumed—if not on an annual basis, then at least over the period of the business cycle. This assumption has lost validity.

The stagnationist tendencies characterizing the economy's private sector preclude the raising of taxes, since doing so would lower private consumption and investment—thereby accentuating those tendencies. In fact, continued tax cuts are likely, if only to offset the inflationary bite into real incomes. Thus, deficits have become a structural part of budgetary finance; the attempt to reduce them cannot but hasten the coming of the cyclical slowdown already in prospect, turning the planned reduction into an unplanned increase. An environment of deficit finance and fiscal stringency is hostile to higher public nondefense expenditures, no matter how urgent the social priorities they are meant to fund. Raising expenditures would also be contrary to the Administration's resolve, already expressed in its 1978 budget message, that it aims to "decrease" the "share of the Nation's GNP taken by the Federal Government."

The public sector, being used by means of budgetary policy to sustain the economic health of the private sector, forgoes the means to its own health, and suffers "scarcity." This is a historically evolved pattern that will change only against great resistance. Change would involve a large shift of real resources to the public sector, not merely in terms of restoring income taxes to their erstwhile importance and progressivity. Change would also spell greater independence of the public sector from the private sector, e.g., by establishing more public enterprises, and by preventing the privatization of such service functions as health care, pension funding, communications, transportation. Without such changes, scarcity in the public sector will persist, and its gradual impoverishment becomes a probability. □

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Stephen Silbiger

# Why the Left Lost the Tax Issue

If there is any issue that exemplifies the rightward drift in American politics, it is the issue of taxes. Those of us with political memories that extend past June 6, 1978 will recall that the issue used to belong to the left. Tax data released by the federal government in the late 1960s revealed that several hundred millionaires were able legally to avoid paying any federal income tax. The outrage that ensued fueled a significant movement for tax reform.

As with most popular initiatives, the tax-reform movement had its greatest impact on the political rhetoric of candidates for office. In his acceptance speech, Jimmy Carter called the federal tax system "a disgrace to the human race." The cautious Georgia Democrat was merely restating what had become by then the political consensus within the country's major party.

This political rhetoric was actually translated by some members of Congress into efforts to reform the tax laws. Although these efforts in no way reflected the scope of the campaign promises, they did result in some significant changes in our tax laws. The notorious oil-depletion allowance was greatly modified; the more egregious tax shelters in movies and livestock were closed; a minimum tax was established to make sure that every wealthy individual paid *some* taxes. In addition, Congress reduced the tax burden on the poor, even eliminating most people below the poverty line from the income-tax rolls completely. The result was to increase by a few percentage points, from 1970 to 1975, the share of the federal income-tax burden borne by the top 5 percent of taxpayers and reduce by a similarly small number of percentage points the federal income-tax burden borne by the lowest fifth of the income scale.

BUT WHILE TAX REFORMERS were winning a few skirmishes on Capitol Hill, they were losing the war for tax equity across the country. Although they had succeeded in closing a few loopholes, taxes in general have been less progressive in the mid-1970s than they were in the conservative 1950s.

In 1953 a family with an average income paid 11.8 percent of its income in taxes. By 1975, the tax burden on the average family had nearly doubled to 22.7 percent of its income. During the same period, the tax burden for a family earning four times the national average rose half as fast, only increasing from 20.2 percent in 1953 to 29.5 percent in 1975.

One reason the tax burden has shifted to those least able to bear it is the meteoric rise in social security taxes. In 1954, these taxes accounted for $7 billion in revenues, or less than 9 percent of all taxes. By 1976 they amounted to $95 billion, or approximately 20 percent of our total tax bill. The increase in regressive social security taxes has caused a family with an average income to pay an additional 5 percent of its income in taxes, while only increasing the tax burden of those earning four times the average by less than 2 percent of their income.

Another less publicized but equally important reason for the downward shift in the tax burden is the enormous growth in state and local taxes. During the last two decades state and local taxes have grown twice as fast as federal taxes. In 1953 total revenues generated at the state and local level amounted to $21 billion. By 1976 these revenues amounted to $156 billion, a whopping increase of over 650 percent. During the same period of time, federal revenues increased by less than 350 percent, from $74 billion in 1953 to $323 billion in 1976. As a result, *a greater and greater percentage of our tax burden is composed of regressive sales taxes, and a declining share comes from the relatively progressive federal taxes.*

A few examples: Although the federal income tax has loopholes of which only the wealthy can take advantage, and social security is funded by a flat regressive tax, federal taxes are *relatively* progressive. A family earning $25,000 a year will have to pay more than twice the percentage of its earnings in federal income and payroll taxes than will a family earning $5,000 a year, and a family earning $50,000 a year will have to pay nearly three times the percentage paid by a family earning $5,000 a year. However, in 47 of the 50 states, the same $5,000-a-year family will have to pay a greater percentage of its income in state and local taxes than will a $50,000-a-year family!

It was the failure to do anything about the regressive nature of state and local taxes that changed the focus of the tax issue from progressive reform to reactionary revolt. It was the failure of the Democratic leadership in California to do anything about the enormous increase in property



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taxes that fueled the Proposition 13 initiative. Although racism and plain selfishness had a good deal to do with Proposition 13, it would simply be wrong to dismiss all of its supporters as a reactionary mob. The fact is that many California voters were in need of legitimate tax relief. The housing shortage in California had caused a boom in the value of single-family houses. From 1975 to 1978 the assessed value of owner-occupied housing in the state had risen by 84.6 percent. In southern California the increases far exceeded the statewide figure. It was not uncommon for some families to see their substantial real-estate tax bills more than double, without any corresponding increase in public services.

If the failure to do anything about the regressive distribution of local taxes fueled the Proposition 13 movement, it was the failure to even see the issue of tax justice that guaranteed Jarvis and Gann their victory. For the hidden story of Proposition 13 is that it does very little for the average homeowner. Because of the across-the-board nature of the tax rollback, only slightly less than $2 billion of the $7 billion reduction in revenues will find its way into the pockets of homeowners. The real beneficiaries of Proposition 13 are: the federal government, which will gain $2.5 billion because of the decrease in deductions for real-estate taxes; out-of-state corporations, which will see their taxes go down by $3 billion; and local corporations and apartment-house owners who will share a couple of billion dollars in tax reductions.

The distribution of the tax relief provided by Proposition 13 was known before its passage. However, it did not surface as an issue in the campaign because the leaders of the opposition, for political reasons, wanted to have a broad-based campaign that included the business community. It therefore hired the corporate advertising firm of Winner & Wagner, which is closely tied to the California Chamber of Commerce, to do its media work. Needless to say, few of the ads against Proposition 13 labeled it a corporate rip-off. Instead, the opposition's focus revolved around the threat of the loss of public services. However, with a state surplus of $5 billion and a state budget increasing 10-20 percent a year, that threat never became credible.

We will never know whether the results in California would have been different had the opposition focused on the great share of the tax relief provided to corporations. But after the results last November of another tax initiative, this time in Massachusetts, it is clear that the issue of tax equity can be a powerful one. The Massachusetts initiative came about as a result of a Massachusetts Supreme Court decision that interpreted the state constitution as requiring commercial and residential property to be taxed at the same rate. Implementing this decision would have resulted in an annual shift of $265 million in taxes from corporations to homeowners. In response to the decision, an initiative was placed on the ballot to amend the state constitution in order to permit the classification of different types of property and its taxation at differing rates. Although the business community launched a well-financed campaign against the initiative, it carried the state by over 2 to 1, and swept Boston by 10 to 1.

Given the Massachusetts results, it is clear that the best way to counter the tax-revolt fever is to make state and local taxes more equitable. Easier said than done! Our federal system of government, which prohibits state interference with interstate commerce, places very real limitations on the ability of state and local governments to tax wealthy individual and corporate residents.

The reason federal taxes are more progressive than state and local taxes is not that federal legislators are more progressive than their state and local counterparts. The real reasons is that (unlike the federal government) state and local governments are constantly subject to the threat that businesses and wealthy residents will move away if their taxes are raised. A New York State legislator knows that the move from Westchester to Fairfield County may not involve any loss of personal amenities, and that the move from lower Manhattan to Hoboken need not cause the loss of any markets or clients.

THAT STATES TAKE all this seriously is proved by the fact that 40 states now offer some sort of tax break on corporate income or property taxes for new or expanded business. Granting tax concessions to attract industry is so widespread that a recent staff report of the Advisory Commission on Intergovernmental Relations (ACIR) concluded that they had no real effect on attracting business from one state to the other. The concessions did, however, have the effect of shifting the tax burden to individuals and away from large corporations.

That most politicians see a link between a high state income tax and low economic growth is illustrated by the recent tax history of New York State. In 1978, with the state's major municipality near bankruptcy and some of the poor living in the nation's most squalid slums, the Governor and the



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Legislature passed a billion-dollar tax cut, which largely benefited the wealthiest. It was the recent loss of jobs in New York State that made this tax cut seem "sensible." In the decade preceding the tax cut the state lost 600,000 jobs while the rest of the country, including New York's neighboring states, showed gains in employment. Although regional trends were obviously a factor in the decline of New York's economy, they could not have been the major cause since most of the firms that left relocated in neighboring states.

The decline in New York State's economy was obviously caused by many factors. Undoubtedly, the deterioration of the quality of life in the state's largest city, caused by a decline in public services, played a role in persuading corporate executives to move themselves and their firms. But when the political leadership became concerned with the massive loss of jobs, they zeroed in on one cause—taxes. A much-cited argument was that Connecticut, which had tripled its number of Fortune 500 headquarters at the expense of New York, had no income tax, and that an executive who was transferred to Houston immediately received a 20 percent increase in pay because of the difference in taxes. As a result, almost the entire political leadership of the state, ranging from conservative Republicans to liberal Democrats, supported a massive tax cut that reduced the tax burden of someone earning $100,000 about 20 times as much as it reduced the burden of someone earning $10,000 annually.

Given the recent New York experience, it is clear that so long as our system rewards those political jurisdictions that tax regressively or fail to raise sufficient revenues to provide for their disadvantaged, state and local governments will inevitably avoid taxing their wealthier residents and continue neglecting public services.

Since state and local governments now consider themselves the captives of large economic forces making it impossible for them to reform their tax structures, action at the federal level will be required before major shifts in state and local tax burdens can occur. Federal legislation will be needed both to lessen the economic advantages enjoyed by states with low and regressive taxes and to create incentives for states and localities to enact progressive income taxes. Recently, legislation aimed in this direction was introduced by Rep. Stephen Solarz (D-N.Y.). Solarz's bill, which I helped draft, would establish a 50 percent tax credit for payments made for truly progressive income taxes, while at the same time repealing the current deduction for regressive sales taxes and nonprogressive income taxes.

The reasoning behind the bill is that the 50 percent credit for progressive income taxes will reduce the competitive disadvantage of states with such taxes, while the elimination of the deduction for sales taxes and nonprogressive income taxes will create a popular demand on the part of local taxpayers to have their state and local government convert from sales taxes to progressive income taxes. It should also be pointed out that the bill would only apply to the income taxes of the 21 states, and the District of Columbia, which meet the definition of "progressive" contained in the bill. The other 20 state income taxes, which have more or less flat rates of taxation and are only marginally more progressive than sales and property taxes, would not qualify for the credit.

THE IDEA of using the Internal Revenue Code to influence state tax policy is not without precedent. In 1924 the Congress, fearing vigorous competition among the states for old people and their estates, enacted a tax credit on its estate tax for payments made for state death taxes. Since only estates in states that had such death taxes could take advantage of the credit, every state in the union, save Nevada, has enacted such a tax.

A more recent use of the federal tax system involves the use of tax-exempt state and municipal bonds for private industrial development. Before 1968, many local governments used the tax-exempt bonding privilege to finance industrial construction that was then turned over to private industry to lure it to their jurisdictions. However, in 1968 Congress passed the revenue and expenditure Control Act, which denied federal tax exemption to an industrial-development bond issue exceeding $5 million. As a result, by 1974 the dollar amount of such individual bonds fell by two-thirds, from $1.6 billion in 1968 to $0.5 billion in 1974.

The only legitimate objection to the use of a tax credit to induce state and local governments to reform their tax structures is that a credit would reduce federal revenues and deprive the already fund-starved public sector of needed funds. Although the Solarz bill would initially cost the Treasury $4 billion, or less than one quarter of last year's tax cut, the long-run costs of the bill would be significant despite some strict limitations in the bill on the percentage of one's income tax that can be reduced by the credit.

Yet, while the drain on the federal treasury is a definite drawback, the benefits of the credit far



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outweigh its liabilities. It is now clear from the California experience that the maintenance of a healthy public sector depends on funding through an equitable tax structure. Without it, public budgets will constantly be open to the threat of tax revolts and massive expenditure cuts. The adoption of the tax credit would help to create such an equitable tax structure and thus stabilize public budgets in the future.

The most significant positive effect of the tax credit is that it would breathe some life into our federal system. Before our transportation system made it easy to move goods and people from one part of the country to another, and the threat of the flight of capital placed great limitations on the abilities of states to raise revenues, state governments were pioneers in developing programs. Workman's compensation, public housing, and unemployment insurance were all first introduced at the state level and only later adopted by the federal government. With the New Deal, the role of the states became a passive one. As a result, radicals and progressives have looked exclusively to the federal government for the creation of new programs.

But the wait for new federal programs is always a long one. National health insurance, proposed by President Truman in 1948, still appears to be a decade away. The reason there are such long gestation periods for federal programs is that a political consensus among a heterogeneous population must be developed. States, however, are much more culturally homogeneous, and so political consensus can be developed far more quickly. As a result, if state governments are liberated from the fear of the flight of capital and are given the capacity to raise revenues to fund new programs, some states might actually break new ground in providing public services.

The major argument for tax credit for progressive state and local income taxes is that it is one tax cut that may actually expand the public sector. The size of that sector is probably still the largest problem we face as a society. Ours is still a "society of private affluence and public squalor," to quote John Kenneth Galbraith. We spend more on jewelry than we do on Food Stamps and almost as much on advertising as on public education.

In responding to the tax revolt, we must not only be concerned with relieving the tax burdens imposed on low- and middle-income people by inequitable taxes. We must also be mindful of assuring that there are sufficient revenues to provide these people with vitally needed public services. After all, there is no point in giving a family a few hundred dollars in lowered taxes if to do so requires reducing their police and fire protection, closing their public libraries and parks, and depriving their children of educational opportunities. □

Stanley Plastrik

# The State of the Unions — Alive, Fighting, and with Problems . . .

"After the parades,
After the promises,
Someone has to work
to keep our states
and cities runnin'
A-F-S-C-M-E
AFSCME! AFSCME!"

*March 1*

To listen to some of our doomsters who write on the American labor movement, it is in a bad fix; if not quite at death's door, its condition is critical. Even serious journalists such as A. H. Raskin hold these pessimistic views. Raskin, writing last fall in the New York City newspaper-strike paper *City News,* summarized matters as follows:

> The number of union dues-payers keeps going down while the number of jobholders goes up. Unions lose more National Labor Relations Board elections than they win, and disenchanted workers vote them out of bargaining rights they already have at quadruple the rate of a decade ago. . . . the Senate filibuster . . . killed the administration-backed bill that would have made it easier for unions to get in and stay in.

The antilabor offensive, of course, is wielded by the big corporations; guided by clever "consultants," they aggressively engage in union-busting. Much now is made of the facts that the proportion of unionized to nonunion workers in the labor force has gone down, and that such unions as the ILGWU have lost thousands of members. These realities are invariably linked to



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structural changes in declining industries (e.g., clothing, steel), and to the entry in recent decades of millions of rural, unskilled service workers (including 6 to 7 million "illegals"—Mexicans, West Indians, and others) who have little experience in unionism and exercise a depressing affect on wage levels. In short, we are in the midst of a massive transformation of the American labor force in regard to size, character, and deployment.

It is no secret that the right is devoting money and energy to assaults on the labor movement. These efforts to defeat situs-picketing legislation, promote right-to-work laws, fight labor-law reform legislation, and the endless propaganda aimed at arousing middle-class antiunion attitudes—all are familiar. But, so far, labor has withstood these assaults surprisingly well. In Missouri last year the unions resoundingly defeated a right-to-work initiative, though the polls earlier had shown voters to have favored it by almost 60 percent. Yet the United Labor Committee coalition won in November by a three-to-two margin. When the issue boils down to an elementary defense of working-class interests, tons of propaganda and millions of dollars fail to bring results.

THE LABOR PEOPLE whom I consulted for this report all spoke candidly when questioned about the situation. The labor movement is here to stay, but "its outlook is not cheerful"; the labor movement is implanted in American society, but at present there hardly are "bright prospects"; its financial position is strong, but with a growing number of retired workers paying only nominal dues (the UAW has 250,000 retired members!) the strain on pension treasuries is growing. The right may not be making the gains it boasts of, but its advocacy of "new concepts" on taxes, fiscal policy, etc. is more effective than that of the unions. Who now is on the offensive and who on the defensive seems clear.

*Is there a new militant corporate action, with a higher level of sophistication, forming part of a general rightward trend?*

Responses to this question varied among the union spokesmen. Facts, of course, speak for themselves. I was told that General Motors, opening several plants in unorganized Southern areas, tried to prevent UAW members who were working in the North though born in the South from applying for transfers to these new plants. The company's efforts, however, failed completely; good union workers, experienced in unionism, can of course move back to where they grew up in the South.

Though opinions differ regarding the amount and effectiveness of new antiunion activities, most spokesmen agreed it is "not the same across the board," but strongly concentrated in the industrial Sunbelt area, and rather ineffectual in the East and Midwest.

Dynamism is absent, quasi-stagnation has set in, but this is a far cry from collapse. The union leadership is unhappy with the Democratic administration, but it considers the notion of a labor party "nonviable." When we examine these political views more closely, we see that the union leaders prefer to reestablish previously existing alliances—in short, to restore rather than to innovate. Labor rightly fears the rise of the fanatical single-issue groups (Proposition 13, right-to-work, antiabortion), which act to break up existing coalitions and nullify political efforts that work toward broadening alliances. Finally, so far as the ideological affect of antiunion material on workers is concerned, labor leaders point out that, except for the most antiquated "business type" craft union, the rank-and-file's understanding of the union's role in the million-or-more-membership industrial unions has gone up considerably in the past decade. The validity of this observation, of course, will have to be tested in showdowns, which both sides at present carefully avoid.

*Is the need for unions, and their very "legitimacy," now being questioned? If so, by whom? Is it being questioned by unionists?*

This question, on one level, is pragmatic; on another, it is a matter of public, i.e., middle-class sentiment.

In April 1978, the Senate Subcommittee on Reports, Accounting and Management lifted the curtain of secrecy on one aspect of concentrated corporate power, the network of interlocking directorships. If there were no agreement on the need of a "countervailing" labor movement, this would suffice. The Subcommittee's report was summarized by AFL-CIO economist Markley Roberts, in the AFL-CIO's *American Federationist*, August 1978:

> The network of big business leaders as they meet on the boards of directors was revealed by a careful computerized staff study of the top 130 U.S. corporations—the 30 biggest industrial corporations, the 20 biggest banks, the 10 biggest insurance companies, the 10 biggest diversified financial



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companies, the 20 biggest utilities, the 20 biggest transportation companies, the 10 biggest retailers, the three major broadcasting companies, and seven investment advisory companies.

These 130 corporations control more than $1,000 billion ($1 trillion) in assets, about 25 percent of the assets of all American corporations.

The profits of these huge corporations indeed have grown at an extraordinary pace, while inflation has had a devastating effect on the greatest part of the population.

ONE OF THE MOST TRYING problems the union movement now has to face is the loss of its experienced leadership, now aging, retiring, and dying—a whole generation of leaders trained and seasoned in the harsher conflicts of the '30s and '40s is going. Young, trained people (economists, statisticians, labor lawyers) have hesitated to make the labor movement the base of their careers, and few talented people seem to be working toward leadership up from the ranks. Nevertheless, unions have published competent material and gone to the bargaining table with skill and hard data. That erratic economic climate of the last several years has been as carefully analyzed in labor publications as anywhere, and labor people have done an especially excellent job of documenting conditions of low-paid workers.

Some experts, including labor leaders, have predicted that 1979 will be a year of intense confrontation between labor and capital. No less than 702 contracts, according to the Department of Labor, are expiring this year, affecting 3.8 million workers. The first test for wage guidelines has been passed, with an agreement in January between the oil industry and the 60,000 members of the Oil, Chemical, and Atomic Workers' Union. This agreement skirted President Carter's "guidelines" with some fancy manipulation of figures. But many major confrontations are still to come: 400,000 Teamsters will ask for a new contract by the end of March; 67,500 Rubber Workers by mid-April; 145,000 Ladies' Garment Workers by the end of May; 97,400 Electrical Workers, vs. General Electric, by the end of June; and "the big one"—the UAW and the Rubber Workers (with 684,450 members), vs. General Motors, Ford, and Chrysler, by mid-September.

Our tripartite system of industrial relations (unions, corporations, and the government) creates special realities: the most powerful unions had been winning 10 to 12 percent wage increases before the 7 percent "inflation-rate" guideline was proposed. Specific groups of workers (teamsters, coal miners, auto and steel workers) have kept up with or ahead of rising prices. In many areas, however, government workers earn more than those on their level in the private workforce: millions of workers who are either unorganized or do not belong to one of the powerful unions have not kept abreast. But, overall, the facts as a whole emphasize rather than diminish the unions' role as "basic protector of the worker's economic interests."

The changing nature of strikes is a subject that demands its own study. Let me suggest here merely that workers are increasingly disinclined to employ this "ultimate" weapon; 1978 was a relatively inactive year for union/corporate bargaining, involving only 2 million workers in the larger industrial units. The number of strikes in the first nine months of 1978 was 3,852, down from 4,630 in the previous year. What of 1979, with almost double the number of workers looking for new contracts?

NOW TO President Carter's anti-inflation program, and its 7 percent wage-benefit target or guideline. "There is no question that it makes the whole bargaining process more difficult," says Douglas Fraser, UAW president. But, most likely, ways will be found to smooth over the sharper edges of the Carter program, with loopholes that will enable the unions to beat the guideline.

The government, for example, is prepared to deliberately undervalue gains accruing through cost-of-living adjustment clauses that are written into union agreements; such gains, worth 7 percent today (to keep up with rising cost-of-living indices), will be counted as 3 or 4 percent. There also is a broad area where it is impossible to calculate exact costs, such as layoff protection, pensions, so-called noneconomic issues involving subcontracting work and floor discipline. The wage guidelines are supposedly "voluntary," but George Meany is more correct than others when he points out that they really are inflexible and " . . . will be eagerly enforced by every public and private employer in the land and by the IRS and by threats of blacklisting and official denunciation" (*New York Times*, November 7, 1978). If there is flexibility it applies to the fringe benefits whose importance grows every year; and, no doubt, every union will try to push up pension payments for already retired workers.

There is a temptation to foresee bitter confrontations, and they indeed may lie ahead.

The unions are particularly bitter about the



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guideline policy because, as George Meany has put it, "It is based on the false assumption that wages alone are the cause of inflation when in fact wage increases are an attempt to catch up with living costs and every economist—left, right, and center—agrees that this inflation was not caused by wage increases." Meany continues, citing Dr. Jack Carlson, chief economist of the U.S. Chamber of Commerce, stating "[union] wage demands were not a major cause in 1978 of the inflation we expect in 1979. This inflation is clearly Government-induced." Dr. Carlson further acknowledged that rigid enforcement of the Administration's wage policy would mean a 2 to 4 percent loss in real purchasing power.

When the hard bargaining gets going, the factor that will decide success or failure is the issue of benefits.

Carter's guidelines will put a brake on wage *and* benefit increases, even if the benefits themselves do not change. But demands will have to bend, if there are not to be major confrontations and strikes. This applies particularly to the area of health care, where expenditures have been rising at an annual rate of 12 percent—far above the inflation rate.

A similar issue is the matter of pension-funding, particularly for the big unions, which all have severe benefit-funding problems. Labor economists maintain that, with the exception of the Teamsters' union, which has special pension difficulties, the cost of maintaining current benefits will come to 1 percent of any wage gain, leaving 6 percent untouched. For, so far, health and pension benefits, though they are steadily increasing in recent contracts, still constitute only about 15 percent of total worker compensation. Thus, suggests Helen Dewar in a *New York Post* column (November 28, 1978), a 10 percent increase in a health and pension plan that constitutes 10 percent of a worker's total compensation would amount to no more than a 1 percent increase in overall payroll costs, but it would consume 14 percent (one-seventh) of what the unions can get under the 7 percent guideline policy. Some unions—the Teamsters, UAW—maintain that they will need a 10 to 20 percent increase in pension money, or in health funds, to fill significant deficits in these programs, or merely to stay in place. Taken with the already growing tax burden on any additional income, this may well leave workers worse off than before—how much worse will only be determined when the heavy negotiations are over.

THE TRADITIONAL American labor leaders are pragmatic, "food-on-the-table" types. Yet, there is much talk today of the need for a new strategy.

*What might that new labor strategy be, and what are its chances to succeed, in the face of today's strengthened corporate capitalism?*

It is clear that the old union caucus, centered in the Democratic party, is coming to an end. A painful readjustment of relations is taking place, and its outcome is uncertain. The unions desperately need to recruit membership from the lower categories of workers (those most discriminated against, the millions of "illegals," service employees, etc.). The best opportunities at the moment lie in the South, with its overall liberalization and growing industrial centers. Despite the slow progress of various recent organizing drives, these efforts will continue. Will the old union-Democratic caucus get a new lease on life? Given the realities of the present Congress, it is doubtful. Take, for example, the fact that today's Congress has not a single trade unionist in its memberhsip! But large numbers of unorganized workers may turn to the unions in sheer defensive need—and such blocks of new membership might make the difference.

Newly organized groups of workers, and new unions, often have added a new tone and new strength to the labor movement. Not so many years ago, for example, public employees were held in low status, and it was widely accepted that people on the public payroll do not rate the crucial rights won by the workers in the private sector: to strike and to bargain collectively. But by the early 1960s AFSCME (the American Federation of State, County, and Municipal Employees) was the fastest-growing segment of the trade-union movement. It now has over a million members consisting of a cross section of workers, from unskilled laborers to top professionals. Such growth reflects the power of organization and refutes the allegations of public hostility to unionization of public employees.

*Does the labor movement have a program to offer?*

In general terms, the AFL-CIO Executive Council, at its October 1978 meeting, adopted a policy for 1979:

> . . . we believe the Administration is already headed in the direction of overall controls in piecemeal and ill-designed stages. . . . America might as well do it right and do it now.



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> A special session of Congress should . . . draft a legislative program of full economic controls, covering every source of income—profits, dividends, rents, interest rates, executive compensation, professional fees—as well as wages and prices.
>
> It must be a program that treats all Americans equally, provides a . . . mechanism for the adjustment of inequities, controls prices for everything and lasts only for the duration of the emergency.

So sweeping a program is scarcely on the agenda of Congress or of the Administration. The big battles will take place over the federal budget, cuts in social programs, issues of education, health, manpower, and defense.

Labor, however, now has its ideas and proposals on the drawing board: improved federal job programs; retraining and relocating chronically out-of-work people; subsidies to private employers for taking on young workers, etc. Taxation problems may need further thought, but there already are some proposals, however limited they may be compared to those put forward by Jerry Wurf, president of AFSCME, who suggests cuts in property taxes for low- and middle-income homeowners, and higher and more progressive state and local income taxes in order to increase revenue of state and local governments. Labor, for example, ought to work out specific plans for a guaranteed income operating through a negative income tax, or an out-and-out cash transfer scheme. Nor should labor shy away from the complaint of "excessive government spending" and budgetary waste. Wurf has recognized this, and shown his readiness to negotiate on improving the productivity of government employees, even if this leads to reducing their numbers through attrition.

**Some Facts on the Labor Force and Union Membership***

| | |
|---|---|
| Total estimated workforce end of 1978 | 95,700,000 |
| Total AFL-CIO affiliated union members, first half of 1978, excluding Teamsters, Autoworkers, Railway Brotherhoods etc. | 13,622,669** |
| International Brotherhood of Teamsters, largest union in America, 30% of membership are truck drivers, the rest public employees, factory and warehouse workers, etc. | 2,200,000 |
| United Auto Workers membership, first half of 1978 gain of 5.3 percent for the year | 1,524,717 |
| State County and Municipal Employees (AFSCM), growth of 16.9% for 1978 | +1,000,000 |
| Unaffiliated National Education Association (teachers, etc.) | 1,700,000 |
| Total union membership as a percentage of the American labor force | 23.7% of all civilian workers |

*Sources:* Department of Commerce; Bureau of Labor Statistics; UAW's *Solidarity*, Sept. 30, 1978.
**Gain of 3% during the first half of 1978.

*What may the future hold for America's trade-union movement?*

Divided as it is, in effect, into three or four "federations," one cannot speak of a united voice of labor. Yet, now that the union movement is confronted with serious, multiple problems, there are more issues that pull it together than divide it. First, there is the common concern for the protection of the membership's standard of living; second, the common desire to reestablish labor's former broad political alliance within the Democratic party. At an interim gathering of organizations called by Douglas Fraser of the UAW in October 1978, he said flatly that "the political system in this country is simply not working, the lobbies are taking over. . . . there is no cohesion, no discipline in the Democratic party. We are being checked and balanced into immobility. . . ."

Challenging the opposition of the right to all new progressive social legislation will require the labor movement's unified effort, and much closer contact with new forces in American society—e.g., the women's movements, black, Hispano-American, consumer, and ecological groups. "We have to get rid of the old baseball bat, T-shirt, tattooed image," says Fred Kroll of the Railway Brotherhood. Others urge unions to drop their outdated hostility toward greater union-worker participation in management bodies that is based on fear of "co-optation" and the blurring of distinction between labor and management. Day-to-day decisions on the shop floor concern not only productivity levels but, especially among young workers, an awareness of "quality of work-life" problems.

With all its troubles, the trade-union movement remains a strong and progressive force for the democratization of American society. Instead of prophesying its decline, we ought to help expand its potential for improving life in this country. □



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Jan T. Gross

# Democratic Opposition in Communist Poland

Poland lately is visible in world affairs. Every morning the American President listens to his Polish-born adviser on national security; the Prime Minister of a much smaller country, who first arrived in Palestine as an NCO in the Polish army, gets into the news headlines every other day; a Polish Jew was awarded the last Nobel Prize in literature; and a Polish cardinal was elected to the papacy. Quite a striking coincidence in the history of a country that, according to Alfred Jarry, is "nowhere."

Things of significance also are happening to Poles in Poland. What began as an act of civil courage by a handful of intellectuals as they protested against police torture and the courts' violation of the legal system (in the repression of workers' food strikes in June 1976) has slowly evolved into a complex movement of opposition to the regime. Its novelty lies primarily in its ability to draw simultaneous support from a variety of social groups, each of which has taken a stand against the regime in the past but only in isolation. Also without precedent is the movement's mode of operation, which consists of ignoring the party-government establishment and of acting as if constitutionally guaranteed rights were indeed the basis of the Polish People's Republic's legal system. People who are part of this movement act as if they were truly the enfranchised citizens of a constitutional state.

This may seem a naive stand to take in a "people's democracy"; it has never been tried before. Jacek Kurón, one of the founders of the Workers' Defense Committee ("KOR"), which is part of this movement, describes the activities of the opposition in Poland:

> . . . in a totalitarian or an occupied country two forms of opposition were traditionally recognized—conspiracy aiming at the overthrow of the imposed regime and efforts to induce the authorities to do some "beneficial" things. Since the activities of the Workers' Defense Committee are not conspiratorial, they are interpreted as a form of pressure on the authorities. . . . But we are pursuing a completely new form of activity. In our actions we are oriented toward society and not toward the authorities. Through our activities it is society that organizes itself, independently of the state power.

And it works, so far, anyway. A large domain of political freedom has been carved out in Poland. And now one observes there the fascinating spectacle of civic society reemerging from the straitjacket into which it had been laced by the authoritarian regime. We always knew that the *pays réel* and the *pays légal* east of the Elbe were two different things. But, in Poland, this chasm between the two is only now beginning to be articulated.

Take, for instance, the uncensored publications. For over a decade now, we have been accustomed to *samizdat*—the way in which important literary and political journals have been published in Communist countries. But, typically, *samizdat* was clandestine; authors' and especially editors' names were a closely guarded secret to be revealed only simultaneously with their arrest. Today, about 30 uncensored periodicals appear in Poland. The editors' names, addresses, and telephone numbers are printed in each issue, the majority of authors write under their own names, and no subject matter is taboo. An amazing variety of uncensored publications appear in different towns, catering to a diversified audience. There are such monthlies as *Gospodarz* (Farmer) or *Robotnik* (Worker), addressing themselves to the everyday problems of peasants and workers. There are news bulletins containing political commentaries, such as *Biuletyn Informacyjny* (Information Bulletin) or *Opinia* (Opinion), addressed to the general public. There are student publications, such as *Bratniak* (Fraternity) or *Spotkania* (Encounters). There are serious political reviews, such as *Głos* (Voice) or *Krytyka* (Critique), and the sophisticated literary journals *Puls* (Pulse) and *Zapis* (Notation). In fact, it is quite difficult to get one's manuscript published in the more prestigious ones, for they have large backlogs of submitted essays and stories awaiting publication.

Take another example, the tradition of clandestine study circles. In Russia, thousands of young people have been jailed for gathering in small groups to read and discuss topics or books that were absent from the reading lists of official university courses. In Warsaw, in the '60s, we used to meet for such discussions, and prosecutors in the trials held after the so-called March Events in 1968 cited attendance as proof that the accused were members of some "illegal organization." As of last year, the Society of Scientific Courses has been founded in Poland with an advisory council composed of a large group of eminent professors. By analogy to its 19th-century predecessor, which



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functioned clandestinely in Poland under the regime of the Russian partition, it is known as the "Flying University." The Society offers a number of courses, which are taught in private apartments by eminent intellectuals. It advertises its meetings so that anyone interested can find out about them, and it draws large crowds of students in various university towns, for the lecturers travel around and repeat their courses in a few cities.

It is common knowledge that the peasantry and the Catholic church are bulwarks of resistance against the Communist authorities in Poland or, for that matter, anywhere. Yet, the sermons of Primate Wyszynski; the pastoral letters of the Polish Episcopate on human rights, and mass media, or freedom of conscience; and Cardinal Wojtyła's thoughtful protection of the independent Catholic intelligentsia in Cracow go far beyond the traditional and essentially conservative posture aimed at preserving national customs. The peasantry also no longer conforms to the old stereotype of a dull, amorphous, stubborn (and therefore resistant) social mass but now organizes itself and takes initiative. There are Peasant's Self-Help Committees in several regions of Poland; they sprang up in reaction to a grossly unfair retirement tax recently imposed on the peasantry. Now these Self-Help Committees are drafting statements on taxation including all sorts of grievances that have accumulated over the years. Today's peasants do not hide their anger—"just leave us in peace and let us do what we have been doing for generations," concluded a recent petition to the authorities.

The KSS "KOR"—the Social Self-Defense Committee KOR—and also the Human Rights Movement (ROPCiO) have set up independent "bureaus of intervention." Thus every citizen who has suffered wrongs at the hands of the authorities and could not find recourse through official administrative or judicial procedures can lodge his complaint with the opposition. His case will be thoroughly investigated (to his and the movement's benefit, for the latter must be on guard against police provocation) and he will receive legal advice. His case, if he so desires, will be described in the uncensored press and so the official abuse will be publicized. In April 1977, KSS "KOR" published a shattering 47-page report on police brutality in Poland, entitled *Documents on Lawlessness*. This report described several cases of murder, committed by militiamen and never prosecuted.

There are, finally, the Student Solidarity Movement (SKS), which is active in all university towns, and an unofficial library from which people can borrow books that are placed on the government's political "index."

But let there be no mistake—nothing in this world is free, and freedom, of all things, is perhaps the dearest to come by. All this activity goes on because there are people in Poland who are willing to pay the price for freedom, though the government has fixed that very high. The police has resorted to all kinds of harassments against active participants in the movement. People have been threatened, beaten up, arrested, and one collaborator of the Workers' Defense Committee, Stanislaw Pyjas, was, in all probability, killed by the police.

But the presence of a few courageous people in Warsaw does not explain everything. Why does all this activity thrive in Poland and where might it lead?

Even the most incorrigible optimists in this movement admit they would have laughed in the winter of 1976 if anyone had told them the story of the two years of activities that were to follow the founding of the Workers' Defense Committee. I find their astonishment meaningful and enlightening; for it reveals the profoundly authentic character of this process by which Poland's society is starting to participate in its own affairs. No one fully controls this new movement, and this means, most of all, that it is not manipulated, staged, or provoked. One truly sees in it the active presence of "social forces"—actors that have rarely appeared on the political scene in the "people's democracies." This time, people are expressing themselves with their own voices. The Marxist idiom no longer appeals to them; they are not in search of some new mask—be it called "thaw," "revisionism," or even a "human face"—to fit upon the Communist party. They don't even address their grievances to the Party, but send them to the Diet.

The political message of the movement is wonderfully simple: it is the call for the restoration, indeed the naive practice of restoration, of the elementary human right to chose freely what to do, what to think, and whom to trust. Total control over society reaches its perfection in arbitrariness, and neither a moral nor a social order is compatible with it, only social atomization. In their refusal to yield to arbitrariness, the emerging social forces in Poland practice, if you will, society.

What gives us hope that this foretaste of freedom in Eastern Europe will not become in the near future food for ruminations by yet another generation of exiles and prisoners is the unfolding of a similar process in other parts of the world. For



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didn't we witness how societies prevailed over authoritarian governments in Portugal, in Greece, in Spain, in India to some extent? With due respect to differences between these cases and to the historical uniqueness of each, at least one side to the conflict, in all these confrontations, seemed strikingly similar: on one side, there was the government, its machinery and its clientele, surrounded by a social vacuum; on the other, there was society—very different in each case, but always subdued and exhausted.

For authoritarian regimes cannot be otherwise if they extend their tenure beyond the relatively brief period of a well-defined emergency that legitimizes their restrictive character in the eyes of their subjects. If they last longer they become, even despite some rulers' noblest intentions, incompetent. By denying freedom to their subjects they deny themselves information about their subjects' activities, aspirations, and desires. The secret police is no solution to this problem, for it was never intended—except insofar as it employs *agents provocateurs*—as a functional substitute for open political participation by the citizenry. In consequence, authoritarian regimes grow increasingly alienated from the societies over which they preside. In time they become, literally, reactionary—capable only of reacting to breakdowns of social order or outbursts of social protest that occur suddenly and unannounced.

There is in Poland, then, this *underlying* weakness of the government and an *underlying* strength in the opposition—and both revealed themselves unexpectedly to both protagonists and are not easy to come to terms with. Both call for restraint by each side, for there are no institutions yet that can bring society and government together under a Communist regime. The opposition understands this very well. It does not overestimate its strength and proceeds cautiously. Will the government not overestimate its weakness and try to restore its total control by police repression? Let us hope not. The Party's ultimate strength, as always, emanates from Moscow. But this is a burden rather than a blessing. The confidence it once inspired—that no-matter-what, the Party's political monopoly cannot be wrestled from it—has turned into a sour feeling of being stuck with a responsibility that simply cannot be discharged. What incapacitates the rulers is not that they cannot satisfy the public but that they have lost the ability to manipulate it. The horror of the situation manifests itself in the fact that there are no dolphins in the apparatus, as there always were in past times of crisis: now there are only sharks. Unprecedented corruption and spoliation by Party officials, not surprisingly, accompanies this erosion of power.

Consequently, for the first time perhaps since 1945, the Communist rulers of Poland have to make a historical decision. Since they cannot mold society to fit into the regime's institutions and cannot part with their political monopoly because of their Soviet guardians, they must, to avert a national disaster, move to institutionalize the opposition. Let us hope they understand this while there is still time. □

Joseph Clark

## New Changes in China

There is at least one highly desirable result of the new turn in China—the "new Chinese man" has suddenly disappeared. He must be communing somewhere with the "new Soviet man" who took somewhat longer making an exit from the stage of history.

Who was this "new man"in China? He, or she, was always uncomplaining, nay, happy about unremitting and unremunerative toil. He moved mountains with a pick and shovel and disdained machinery because he was self-reliant and wouldn't condescend to foreign devils. The "new man" had an unbelievable manner of speech. If his pick struck stone and he removed the boulder, he never forgot to explain that this was accomplished with the direct assistance of Mao Tse-tung's Thoughts. In his pocket was the little red book of Mao's sayings, with an introduction by Lin Piao. (Later they had to destroy millions of red books with the Lin Piao introduction and substitute new ones *sans* the dead mischief-maker's preface; and today the red books have been banished altogether.)

Having just leafed through some 12 years of *Peking Review* I noticed that certain attributes of the "new man" popped out all the time. Often the "new man" was a surgeon. In the June 6, 1969 issue a "poor peasant" is quoted as saying, "My wife had



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a pituitary tumor and was afraid of an operation. But when she saw the comrades of the propaganda team in the operation theater leading the doctors and nurses in reciting Chairman Mao's teaching on serving the people wholeheartedly, she stopped worrying. The operation was successful."

When the Chinese Communists were fighting a small war with the Soviet Communists on Chenpao island, here's how the *Peking Review* (September 26, 1969) described the secret of victory:

> Just note, we didn't use aircraft or tanks. Relying on invincible Mao Tse-tung Thought and the revolutionary spirit of fearing neither hardship nor death, and with the resolve to "fight the Soviet revisionists to the end even if our blood makes the Wusuli River flow red" [we] triumphantly repulsed the Soviet revisionist aggressor troops. . . .

BUT THERE are many, and far more important consequences, of the incredible sequence of events climaxed by Teng Hsiao-ping's visit to our country. It seems to me that the most important is a demonstration, this time in the most populous country of the world, that there is an underground stream of "dangerous thoughts," *a longing for democracy that courses through all totalitarian countries.* It tends to confirm a hypothesis that every Communist movement, every Communist country and most individual Communists are susceptible to the Kronstadt syndrome. (Seeds of rebellion when the Communist discovers that the cause for which he fought has been betrayed, much as the Kronstadt sailors rose up in 1921 demanding Soviets without Bolsheviks.) The real revolution of our time is related to the striving for democracy and freedom.

One hastens to acknowledge that China under Hua Kuo-feng and Teng Hsiao-ping is not in the throes of a democratic revolution. But we have lived to see in China a wall poster with the declaration: "The new thinking, the great democratic and human rights to which we aspire, which we seek, have today raised their heads in the great land of China." The writers sign themselves "The Democratic Forum." And after all the nonsense we have read about the universal support for the dictatorship during the years when the "Gang of Four" was in charge comes a dispatch in the *New York Times* by Fox Butterfield: " . . . the sudden outburst of wall posters in the Chinese capital over the last week has revealed the existence of deep popular resentment against the widespread political persecutions of the last decade and a strong desire for democracy in China." (If Butterfield doesn't get the Pulitzer prize this year for his prescient coverage of China from Hong Kong *and* Peking, the folks at Columbia don't know their business.)

Who are these young people in such open rebellion against Maoist tyranny? One group from Kweichow, a province quite isolated from Peking, calls itself the "Democratic Forum" and consists of young people who were forced out of the schools during the "Great Proletarian Cultural Revolution." They were "spontaneously" mobilized by the Mao faction of the Party, given food, lodging, and transportation, armed with little red books, and later some of them with guns and mortars, and encouraged to rampage in a revolution against the Party that Mao had reared. Things got out of hand and the army took over. The late Chou En-lai is quoted by Edgar Snow as saying that casualties in the army alone totaled more than 100,000. Then the same teenagers who had been elected so "spontaneously" to be the masses were packed off to rural villages. Butterfield quotes one of these youths in the Democratic Forum as saying, "Everyone in China knew that the Cultural Revolution was a period of fascist dictatorship. But at the time no one dared to say it. Now we want real freedom, human rights, and democracy."

IF DEMOCRACY AND FREEDOM were the subversive thoughts that sparked the wall posters and demonstrations, what were the motives for detente with the U.S. that influenced such Chinese leaders as Teng? There were at least three basic reasons. The first was revealed by Mao himself at the end of December 1970. The old man was not as senile as portrayed by his successors when he made it clear to Edgar Snow (*Life*, April 30, 1971) that he was ready for detente with Nixon's U.S.A. Mao understood then, as Teng does today, that the Soviet Union, not the United States, is a menace to China. Mao used Snow as a conduit for getting a visit from Nixon and agreement with the U.S. Why? Mao explained that it was fear of Russia. Can the conflict with the Soviet Union be ended? The Chairman answered this by saying that when Soviet Premier Kosygin came to see him, he agreed to take 1,000 years off the 10,000 he thought would be the duration of the Soviet-Chinese conflict. What is the conflict all about? Here is Snow's recording of Mao's words:

> The Russians looked down on the Chinese and also looked down on the people of many countries, he said. They thought that they only had to speak the word and all the people would listen and obey. They did not



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believe that there were people who would not do so and that one of them was his humble self. Although Sino-Russian ideological differences were irreconcilable—as demonstrated by their contradictory policies in Cambodia—they could eventually settle their problems as between states.

Despite all the subsequent talk about Mao's senility, he was alert enough to take out an insurance policy against the threat from the Polar Bear—detente with the United States.

The second fundamental reason for the Chinese desire for detente is illustrated by a point made on a wall poster: "The United States is a capitalist country and is the most developed in the world. The United States is only 200 years old, but it has developed because it has no idols or superstition."

Idols and superstition are good enough words to include fanatical religion and dogmatic ideology. During the past year editors by the planeload have been leaving for visits to China. They brought back two vivid impressions. One was how often the word "rational" appeared in conversations with the Chinese leaders. The "Great Proletarian Cultural Revolution" had not only been an extended pogrom; it had eliminated all higher education and banned foreign culture from Shakespeare to Beethoven, not to speak of 4,000 years of Chinese culture. Another sharp recollection of the editors is how a speaker, when mentioning the "Gang of Four," would raise all five fingers to show that it was the "gang of four" plus Mao Tse-tung. China needed a modicum of rational behavior and procedure, urgently. And even though the Chinese Communists have not discarded Marx, Engels, and Lenin for Peirce, James, and Dewey, they have acknowledged, what Kruschchev once discovered, that ideology puts no goulash on the worker's table. So, they go along with Teng's dictum that it doesn't matter whether the cat is black or white, as long as it catches mice. They have also accepted the view that new men and old men alike need material compensation and incentive for work.

This leads us to the third reason for the eagerness to achieve detente with the U.S., the realization that poor, underdeveloped, populous countries can modernize only with the aid of the United States, Japan, and Western Europe.

How important are the changes in China? If the defection of Tito from Stalin's camp in 1948 was of lasting significance, perhaps multiplying the 25 million Yugoslavs by the 900 million Chinese may give some idea of how important this is. Again, one hastens to acknowledge that Teng is nearly 75. And who can forget how the 100 flowers wilted and died more than 20 years ago? But, there are enough fundamental reasons for the ending of Chinese isolation and for Chinese-American detente to give reasonable hope that we're only at the beginning of a process.

Chinese-American detente further diminishes the dangerous bi-polar conflict in the world. Many power centers are better than just two. President Carter was wise in avoiding the military Troika Teng wanted to set up—a U.S., China, Japan alliance against the Soviet Union. Those who seek to use the "China card" irresponsibly to fan conflict with the Soviet Union make no contribution to sanity in a nuclear world. In such a world real detente among all the power centers has become a matter of survival. □

POSTSCRIPT: The above was written before China's invasion of Vietnam. It seems to me that my brief interpretation of the new turn in China is not altered by the war. But a postscript is in order. How startling is the revelation of the nature of relationships among Communist countries. It can be described as a mirror image of the way Communists viewed relations among capitalist countries affected by irreconcilable conflicts.

In troubled Southeast Asia, the Vietnamese had invaded Cambodia. Their complaint: that the Cambodian Communists had imposed the most murderous regime in the world on its people. This followed an often ominous event, the signing of a mutual aid agreement, this time between the Soviet Union and Vietnam. The Chinese then invaded Vietnam. Their complaints: that, by military aggression, Vietnam seeks to become the ruler of the whole Indochinese peninsula, and that it has persecuted and expelled hundreds of thousands of Chinese citizens from Vietnam. (Rep. Elizabeth Holtzman reports that the Vietnamese Communists have made millions of dollars from ransom payments by refugees.) But whatever the grievances, a fitting judgment of China's use of war as an instrument of pedagogy appeared in the following wire service dispatch of February 27:

> Peking—A wall poster condemning the Chinese invasion of Vietnam and calling for an unconditional withdrawal has appeared on "Democracy's Wall" here. The author, writing under the pseudonym "A State Employee," said a big country like China should not be hitting back at a little country like Vietnam. It said the invasion was against the principles of international law, which China usually upholds. □



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# H. W. Benson

# Growth of Reform Among the Teamsters

When the New School for Social Research presented Ted Katsaros at its labor-management luncheon last December, it was recognizing, somewhat belatedly, the union reformer. Just 20 years ago, the same luncheon series featured A.J. Hayes's, then president of the Machinists union and chairman of the AFL-CIO Ethical Practices Committee, who lectured on high policy from a lofty plane. Meanwhile, he was expelling two union reformers in Tool- and Diemakers Lodge 113 in Chicago, Machinists who had led a three-year battle for democracy. Hayes imposed a trusteeship over the lodge for over two years to prevent the rebels from ousting an officialdom accused of financial malpractices by the international's own auditor. That was back in 1958. The trusteeship and the expulsions would be illegal under the current federal law that went into effect in 1959, too late to save Hayes's victims. Now, inching along with the times, the New School brought Katsaros, young, intelligent, articulate, the effective leader of a resolute opposition in Teamsters Local 282 (New York).

Katsaros reports that huge sums have been extracted from the union and its insurance funds by a series of devices, legal, semilegal, and illegal: kickbacks, extortion, finder's fees, real estate deals, commissions. And he tells about murder, beatings and intimidation: the whole register of offenses exposed long ago at the McClellan hearings but still fresh and current.

At the luncheon Katsaros was joined by Steven Brill, author of *The Teamsters* (published by Simon & Schuster in 1978), a best-seller that demonstrates convincingly that the evils Katsaros decries in Local 282 permeate the Teamsters union and involve its upper officialdom. The story has been told before, and Brill's account of murder and theft leaves the reader with a familiar sense of stupefaction. Who can keep track of those bizarre interconnections of crime?

One thing stands out clearly enough: Brill explains how corruption undermines the future of union members. Analyzing the Teamster Central States Pension Fund, which covers unionists in 22 states, he notes that the Fund became a source of "venture capital for organized crime."

The Fund's declared assets of $1.4 billion is so overvalued that one government expert calls the estimate a joke. Of $1.2 billion in loans, only 12.5 percent ($150 million) was in arms-length commercial transactions. A full 50 percent went to those with organized crime connections, and an additional 37.5 percent to those with some personal connection to Teamster officials. About $100 million was lost when money was loaned out at low interest rates to high-risk borrowers who should have paid substantially higher rates. Real estate taken over by the Fund when borrowers defaulted accounts for $100 million of the book assets. Another dubious $900 million consist of vastly overvalued real estate loans. It is impossible to assess the Fund's true assets; it would cost $10 million just to appraise the properties.

While the Fund can meet current pension claims, the beneficiaries face a "potential time bomb" in the late 1980s or early '90s when it



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will be forced to cut benefits sharply or drastically increase the tax on employers, or to compel workers to make payments into the fund, or face bankruptcy.

A renewed interest in Teamster affairs brings us another worthwhile work, *The Hoffa Wars*, by Dan E. Moldea (published by the Paddington Press in 1978), which Moldea dedicates to "the members of the Teamster rebel movement who have been blackballed, beaten, and killed in their pursuit of a more democratic union." Moldea tells the same story as Brill but makes the sad mistake of sensationalizing what is already sensational enough. He wanders into murky and irrelevant gangster stories; he assembles scraps of "evidence" to show that high Teamster officials could have been involved in the assassination of President Kennedy and the CIA plot to murder Castro. The effect is not to convince readers but to make them uneasy, so that even what is based on solid facts falls under a cloud. This is regrettable, because Moldea tells us more than Brill about union reform battles. He points, for example, to a long record of insurgency in Hoffa's own Local 299 (Detroit). Here his account has the ring of authenticity; some of what he tells about Local 299 squares with information received by this writer over the years from its members.

More than eight years ago, a member of Local 299 prepared a list of some 20 opposition groups in various Teamster locals and his compilation was far from complete. Now that the books, movies, and television—and the New School—focus on Teamster rebels, we can ask why it took so long to discover the obvious.

For one thing, there was the John L. Lewis myth, according to which union democracy was "irrelevant" and what counted were high wages, security, fringes. That "realism," that misconception, was not shattered until Jock Yablonski was murdered in 1970 for leading an insurgent miners' movement. We learned then that behind union autocracy hid the festering of corruption and betrayal, the failure of a dictatorial union to protect its own members from death in the mines.

But there was still the Godfather myth. Hoodlums who used the Teamsters union could luxuriate in the glow of the Gentle Grafter, the Robin Hood of slum and ghetto, the Godfather who brought a crude and rough justice into a dog-eat-dog world. If he was cruel, it was against those even more cruel. If "family" members stole, it was from those who were greedy. If they became rich, they acted without hypocrisy in a world where bankers exploited the poor. If they killed, they risked their own lives according to their own code of criminal honor. They were feared, envied, respected, even begrudgingly admired. And not only by the untutored masses!

Rendered sophisticated by a certain kind of labor intellectual, the myth helped "explain" the Teamsters. If members did not "revolt," it was because they were happy with benefits brought by crooked, but presumably militant, leaders. These theorists seldom noticed the signs of actual revolt.

A misguided kind of "left" translated it all into the language of class struggle. If Teamster officials were accused of crimes, were not these crimes trivial compared to those of the bourgeoisie against the working class? Racketeers pursued by the Department of Justice were transformed into heroes of the struggle for civil liberties. When corruptionists took the Fifth, their conduct could be hailed as a defense of labor's independence.

Jimmy Hoffa personified all the rugged Godfatherly anti-virtues. If he collaborated with gangsters, so went the fable, you had to fight fire with fire to build a union. His associates took the Fifth? But so did McCarthy's victims. Democracy meant little in the Teamsters union, went a popular view, because truckers presumably would elect Hoffa anytime by huge majorities.

Then, when Hoffa was murdered in July 1975, the Godfather myth collapsed. The gangsters had not been killing just one another and Hoffa; they had been murdering union dissenters. They were robbing not the rich, but workers' insurance funds. It was time for a new look.



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Farrell Dobbs deserves a hearing. In the mid-1930s he and his worker Trotskyist comrades built the Teamsters union in Minneapolis, led regional truckers' strikes, and devised the organizational methods that made the Teamsters a powerful national organization. After seven years, his supporters were driven out of the industry. In four volumes, the latest published in 1977, *Teamster Bureaucracy*, by Farrell Dobbs (New York: Monad Press), the author tells the important story of the Minneapolis Teamsters and the Trotskyists.

When Dobbs suggests that the truckers' early victories were enormously facilitated by his own revolutionary principles, his account is curiously old-fashioned. Nevertheless, part of that experience is still relevant. Truckdrivers elected Dobbs to lead their union, not because he and his friends were members of the Socialist Workers party but simply because they could be trusted as honest, effective union leaders. Once at the head of a mass movement, they felt honor-bound to advocate an antiwar, class-struggle line, even though these policies rubbed against the strong opinions of their own constituency. It was this uncompromising stand that facilitated their enemies' efforts to cut them down.

In jail, convicted under the Smith Act, they pondered the past: could they have done things differently? No, they concluded, they had to act precisely as they did. If they had kept silent on the war issue, "our role . . . would have been no better than that of the unprincipled labor bureaucracy." If that conclusion now seems a rigid and self-destructive *non sequitur*, it is easier to detect this in retrospect than it was at the time.

In any event, it is sad indeed that Minneapolis Teamsters Local 544, which might have remained a stronghold for decent unionism, was destroyed. The story is told simply and movingly by Dobbs, who is at his best in puncturing the Godfather myth of the friendly gangster. The modern Teamsters union was built not by calling in racketeers but by workers who fought and who struck, as others did in other unions. And when Local 544 was defeated, it was by the combined power of federal and state governments, of courts and police and the Department of Justice, all ranged on the side of a conservative union officialdom and the hoodlums who went on to debase the Teamsters union.

If insurgency is not new in the Teamsters, there is a new kind of insurgency, one that arose even before Hoffa was killed, and no longer confined to isolated groups. For there are now two effective national organizations that coordinate a reform movement on a Teamster-wide basis.

The first reform group arose out of the Professional Drivers Safety and Health Organization (PROD, now the Professional Drivers Council), set up in 1971 by Arthur Fox, a young Naderite attorney. PROD was not intended originally as a union reform movement but was pushed into that role by the union's failure to back a campaign for over-the-road safety. Its evolution illustrates the common interest of social reformers and union reformers in union democracy. (See *Union Democracy Review*, No. 3, 1973.)

Beginning with an interest in auto safety, Ralph Nader and his associates extended their concern to safety in commercial trucking: excessive loads, improper vehicle repair and maintenance, long hours, and hazardous working conditions. In 1971, the Naderites called a conference on trucking safety to put pressure on government regulatory agencies. They had no thought of hassling the union, but hoped for its cooperation. Frank Fitzsimmons, Teamster president, was invited; he declined.

At their conference, the Naderites were pleased to meet, in addition to the usual white-collar reform activists, a group of truckdrivers who were anxiously, even militantly, aroused over driving safety. Their own lives and livelihood were on the line. The conference was followed by the founding of PROD as a public interest association, not a union caucus, with Arthur Fox as its counsel and director.

Among the first few thousand dues-paying



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members, at $20 a year, most held Teamster union cards. With the help of sympathetic lawyers and student volunteers, PROD mounted an effective campaign for road safety, including congressional lobbying and actions in court and before administrative agencies. PROD's attention was inevitably directed to the union when drivers sought advice and assistance in processing grievances; soon PROD was forced to defend Teamsters' rights in their union against charges and to try to protect them against blacklisting on the job.

It wasn't long before PROD leaders realized that the key to safety in the trucking industry was a good union, and that the key to a good union was union democracy. As truckdrivers joined up in increasing numbers, PROD evolved into a membership organization composed mostly of Teamster unionists who wanted to reform their union. From then on, PROD pressed the union to enforce its contracts, especially on safety. It campaigned for more effective legislation. It made proposals to reform local union constitutions and formulated demands for inclusion in contract negotiations. It exposed raids on the union treasury and on insurance funds. It backed a group of insurgents who preferred union charges against Teamster President Frank Fitzsimmons.

PROD activists became union stewards; some were fired and blacklisted; some were roughed up; but PROD continued to grow and to expand until it had branches in major trucking centers. In 1977, it collected $100,000 in dues, mostly from truckdrivers, a phenomenal achievement for a rank-and-file workers' group not officially sponsored by any union. In 1978, it had a membership of 6,000.

PROD is not a union; it does not try to bargain with employers. Neither is it simply an internal union caucus. it began as a public-interest organization that unites truckdrivers in an effort to serve all their professional needs, among them the need for a clean democratic union. PROD aims to reform the trucking industry by reforming the trucking union.

In 1976 a second, somewhat different, nationally organized reform group appeared in the union: Teamsters for a Democratic Union (TDU). Unlike PROD, which began as a public-interest group, TDU from the start came forward as an avowed insurgent caucus. Among its founders were a group of young independent socialists who won a wide following among their fellow unionists by able campaigns around down-to-earth union grievances. By 1978, TDU reported 2,500 members, a solid enough base to permit the regular publication of local and national newspapers and to continue campaigning on national issues. In June 1978, it announced that it would try to run candidates for president and for secretary-treasurer in the next national union election in 1981.

In Detroit Local 299, Hoffa's home local, TDU became a substantial force after supporting opposition slates. It elected its leader, Peter Camarata, as one of the local's delegates to the last Teamster convention. This is a local where, in past years, oppositionists have been knocked to the ground and stomped, the home of one member and the opposition printing press bombed, and where, in 1977, a former local secretary-treasurer was murdered.

A third oppositional group, much smaller than TDU or PROD, addresses itself exclusively to employees of the United Parcel Service, and so calls itself UPSurge. The Teamsters union is about to negotiate a national agreement for some 60,000 UPS employees, the largest single unit outside the National Master Freight Agreement. In November 1978, an UPSurge national conference drew an attendance of 100 workers and spouses. PROD and TDU both sent guest speakers.

There were 500 delegates at TDU's 1978 national conference in Windsor, Canada; a somewhat smaller number attended PROD's gathering in Cincinnati. It is hard to say if one group is more effective than the other. PROD probably has more truckdrivers. TDU has more warehouse and general workers; nevertheless, at its conference, there was at least one driver from each of the nation's car-hauling terminals.

Between them, PROD and TDU have



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enrolled some 9,000 members. The writers who belittle this figure as only a trivial fragment of the membership of a union that claims over 2 million members are simply not sensitive to grim realities. "If it can happen to Hoffa," one Teamster said to Brill, "it can happen to anyone." In a union where unscrupulous characters control hundreds of millions of dollars—and that's killing money—and without the moral or financial support of any wing in the labor movement, the PROD-TDU achievement is remarkable.

In locals with a combined membership of about 40,000 in 11 cities, PROD and TDU report the victory of at least one more of their candidates in recent elections. Some of the winners belong to both reform groups.

In New York State, a reform slate unaffiliated with any national caucus won by a large margin in the 2,200-member milkdrivers' Local 584. In Ted Katsaros's Local 282, the insurgents lost, but they succeeded in polling 43 percent of the votes. In Atlanta Local 728, PROD's candidate lost, but he made a strong showing: polling, out of 3,600 votes, 1,600 or 44 percent.

But can the reformers with all their courage, their talent, their tenacity possibly succeed in transforming the Teamsters?

That question, by itself, is misleading. In any union deeply infiltrated by gangsters, no one has the right to "demand" that any group of unarmed workingmen by themselves miraculously clean up their union. If that seems like an odd way of putting it, it fits the reality. The question should be posed more accurately, not simply as a conflict between union members and union officials, but between democratic society and organized gangsters. If our country has been notably unsuccessful in rooting out racketeers who poison national life, can we hope for better in the Teamsters?

Yes, because we can count upon a force here that exists only in the labor movement: union reformers organized for the battle. Government and law by themselves have failed. Without an insurgent drive within the union, backed by the rank and file, the restoration of democracy and decency in the Teamsters would be impossible. But ordinary trade-union activity is simply not enough. Union reformers need the continued backing of social reformers; they need strict enforcement of laws for union democracy and of laws against crime in the labor movement; they need the moral support of public opinion and of every agency of government. In short, the power of the nation's democracy must be exercised on behalf of union democracy. □


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Rose Laub Coser and Lewis Coser

# Jonestown as a Perverse Utopia

## A "Greedy Institution" in the Jungle

For 20 days, until December 8, the Jonestown horror story made first-page news in the *New York Times*. In the course of five hours, 911 adults and children were killed or killed themselves. There had been no threat on their lives from the outside, nor was there any strong transcendental cause that leader or followers meant to serve. The leader had claimed he wanted "socialism" and "Marxism," and had mixed his missionary zeal with religion because he allegedly believed the followers "needed it." So for years he gave them "opium for the people," and in the end cyanide.

The questions that are usually being asked are: What kind of people were those commune members? Were they without roots? Were they the rejects of society—the drug addicts, the convicts, the prostitutes, those not embedded in the social fabric of their society? And who was the leader? What manner of man commanded such obedience? How did he grow up in the small town where he was born? Had he given signs of such wickedness earlier in his life?

It turned out that the followers were of all kinds. There were the poor, the rich, and those of the middle. There were convicts and there were lawyers; there were the elderly and young prostitutes; there were physicians and nurses, blacks and whites. There were those with weak moral beliefs, and those with a strong social conscience. The answers about the characteristics of the members are not satisfactory. At best they tell us who was attracted to Jim Jones, but they cannot tell us why they obeyed him unto death.

Nor do the characteristics of the leader tell us much. It is interesting to hear that as a child he killed animals, and said mass after their death; and that his mother had predicted her son would be a messiah. But surely, the Jekyll-Hyde personality is a frequent figure, and many people have fantasies of omnipotence. Some even become murderers, and occasionally there is one who manages to kill as many as a dozen people. But they do not kill, or are not capable of killing, almost a thousand people in one sweep. This is hard work. While psychological predispositions in the leader and his followers explain some of their mutual attraction, they cannot fully explain this horrible success story.

Let us turn from personal to structural characteristics. Perverse as it was, Jonestown was a species of the genus, *utopian commune*. Ever since the industrial revolution and earlier—already in antiquity—usually at times of widespread discontent with the quality of life, blueprints for a more satisfying social organization were drawn up, from *The Republic* to *Utopia* (which coined the generic name) to *Looking Backward*. These utopias transcended the here-and-now, served as guidelines for social criticism and as foci for human strivings. Yet, as Lewis Coser and Henry Jacoby wrote years ago, "We are appalled to discover that many of the rationalistic fantasies of the world improvers contain a large admixture of what we now



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recognize as totalitarianism" (*Common Cause*, February 1951).

Not only blueprints but actual experiments in utopian living attracted over the years the socially committed and the morally courageous, the physically and psychologically deprived, and those yearning for a new morality. Yet, in most communes morals and social relations tended to become regulated from above; personal and public allegiances were monopolized by a central authority; and what had started out as an experiment in liberation usually ended in an experiment in the total absorption of personality. Communes have an innate tendency to become, as one of the authors wrote, *greedy institutions*.

Communes did not usually end in the destruction of their members, and some of those inspired by vigorous religious beliefs even managed to survive for several generations. But most ended in splits, fights between factions, acrid disputes, mutual recriminations, and sordid intrigues between rival leaders. Their isolation from other social institutions, their inward orientation, the absorption of the members' total personality often led to a disintegration of the commune, even as it deprived members of the ability to sustain personal relations both within and without.

Jonestown was a community isolated by design. In a sense, if not literally, it was an incestuous community. To survive for even the short period it did, it operated in secrecy, erected strong barriers around itself. Rank-and-file members had to break all ties with the outside. This prevented interference from nonbelievers, but mainly it prevented reality testing. Any personal or social values members brought with them from their previous lives were destroyed. Finally, any personal relations, whether sexual or otherwise affective, were broken up. This assured the absence of interpersonal allegiances. It also assured complete dependency, similar to the dependency of a newborn child, on one person, and one person only.

## The Isolated Society: "We Had Nowhere to Go."

ANTHROPOLOGISTS AND SOCIOLOGISTS are generally agreed on the proposition that society is possible because libidinal energies and affective orientations, within or between generations, are directed outward, so that self-sufficiency is prevented. This is the basis for the incest taboo. A certain amount of what Philip Slater has called "libidinal diffusion" (*American Sociological Review*, 1963) is necessary for social survival, since it facilitates exchange among various units of a society. Groups that monopolize affective energies within themselves tend to be subject to inner decay and to have low survival value. Jonestown is a case in point. Isolated from any but the minimum contact with the outside world, Jonestown's members had no place to go: no place to go to test reality, no place to go with libidinal cathexis except to one man, no place to go to obtain or receive support except from him.

Jonestown seems to have been incestuous in more than the figurative sense. The leader, who was called "Dad," had sexual relations with the commune's members, that is, his "children," men or women, sometimes as many as 16 a day, as he bragged to Charles Gary. He explained that he did this "to assure their loyalty to him." By working to monopolize the affect of the community's members, and making them withdraw their libidinal energy not only from outside relationships but inside as well, Jones completed his efforts at reducing his followers to a narcissistic stage of infantile dependency that Bruno Bettelheim had shown to develop among inmates of concentration camps.

There was hardly any contact with the outside on the part of rank-and-file members. Nobody could leave the premises except some trusted aides who could go as far as the Georgetown headquarters, where control of movement was as tight as it could possibly be. Ron Javers describes the physical isolation



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from the plane that took him to Port Kaituma—a six-mile jeep ride from Jonestown:

> At some points the trees were so thick we couldn't see the ground. . . . Elsewhere there were large stretches of flat, deep, red mud. There were no roads. It was startling to realize how isolated people could be only 150 miles from the capital. There was no way to get to Jonestown except by air or by a long boat trip along the Atlantic coast and up the Kaituma River.*

The isolation of the site was a criterion for selection when Jones first conceived of the settlement. From its early days, the People's Temple tried to erect boundaries or break relations with the rest of society (even as Jones tried to influence, cajole, or threaten politicians and the press). Several times he had picked up and moved when outside intrusions became threatening. Around 1965 in Redwood City, it became known that there were guards around the Temple church and dogs along the fences.

There was isolation from the media as well. Jones controlled the news and the members' access to it. When *New West* magazine was to appear with disclosures about the doings at the Temple, and he departed for Guayana, he instructed his aides to buy out the magazine from newsstands in Oakland, San Francisco, and Los Angeles, where a copy might fall into the hands of Temple members or their relatives. He also instructed his aides to forbid followers to read newspapers or watch television. Later, in Jonestown, members were asked to listen to news broadcasts selectively, and had to write out their reactions and send them to "Dad."

Without newspapers and with only occasional news that had to be "understood" in a prescribed manner, surrounded by the jungle—how would it ever be possible for any rank-and-file member to test reality? How could anycne have looked for evidence of the alleged fact that mercenaries were waiting in the woods to invade the settlement and torture its members? There was no place to go with one's cognitive assessments if not into the jungle—even if, as is doubtful, the need for such assessment were perceived by the members who anyhow "knew" that they must depend on "Dad."

Isolation could not be maintained without secrecy. In the mid-'60s in Redwood Valley, the Temple members' children were said to lie, and to be evasive at school about what they did at the Temple. Isolation and secrecy, if they are to be organizational requirements, must be enjoined upon and upheld by all individual members. Temple members often had to forgo bidding their relatives good-bye when they left for Guayana. Often departing members were called in the morning and told they would leave for Guayana the same night. People would call their children to tell them they would be leaving on a trip immediately, and refuse to say where they were going or how long they would be gone. Relatives of those who had gone to Jonestown without leaving word were met with silence when they made inquiries at the San Francisco Temple.

While isolation and secrecy were organizational requirements for Jones's designs, they served social and psychological purposes as well. Group members who break up all relationships on the outside will be dependent on staying with that group. Not only will it be difficult for them to return home if they so desire, but their whole cognitive and affective orientation will be inward-directed so that the outside world fades from view—much as in cases of confinement to concentration camps, long-term imprisonment or hospitalization, even though in these cases the inmates do not join voluntarily.

Temple members who made the trip signed away to the church, as many before them had done, their cars, homes, and other possessions. When they arrived at Jonestown, whatever money they had left was confiscated

*Marshall Kilduff and Ron Javers, *Suicide Cult* (New York: Bantam Books, 1978). All subsequent quotes and factual material not otherwise identified are from this book.



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together with their passports. Already in San Francisco church members had been talked into cashing their life-insurance policies and turning the money over to the Temple, or into signing over power-of-attorney. Way back in Indiana couples had been persuaded to sell their houses and turn the money over to the church. The well-to-do had to give up their means of survival on the outside. The poor had to contribute an ever larger percentage of meager earnings.

All this money made the People's Temple a viable operation. But it served other purposes as well: it deprived members of all means of independence. Jones wanted the money not only for selfish or organizational purposes: it became a problem merely to dispose of the wealth that piled up. "Jim was giving the stuff away just to get rid of it," one former member said. People who were deprived of their money would have no options but to stay with the Temple. "The Temple ended up with everything I had," said Jeannie Mills. "That's what made it so hard to leave. *We had nowhere to go* and nothing to fall back on."

Having no place to go, and having invested all their emotional life in the Temple, the stage was set for binding people to the Total Institution that was to be Jonestown. To assure its survival, however, two more things had to be accomplished: the remaking of personal values, and the prevention of solidarity within the settlement. These, paradoxically, led to its destruction.

### The Invertebrate: "I Know I'm Like a Banana."

HAVING NO PLACE to go was not enough. Not *wanting* to go would be better. And so we read in one of those required letters of confession: "I'm an elitist and anarchist. . . . I've come a little way. . . . Here I don't have any intention of becoming a traitor or going back to the United States" (Avis G., quoted in the *New York Times*, November 29).

People's behavior as well as their personal attitudes and moral values had to come under the scrutiny of all. Individuals had to submit to physical and mental humiliations and more: they had to humiliate themselves. Former Temple members report that men and women would be forced to strip off their clothes at the public meetings and say they were homosexuals or lesbians.

Already in San Francisco Jones spent much of his time presiding over such "catharsis" sessions, which were grueling, drawn-out spells of emotional dissection by the followers:

> Why did she wear such new clothes when there were millions of people starving? Wasn't it true that he wanted to make love to another man's wife? Admit it! How could anyone complain about working until dawn after getting off work when Father is in such pain for us all.

Beatings, torture, mutual accusations and confessions—techniques that had started way back in San Francisco—remind us of the social-psychological processes in the concentration camps as described by Bruno Bettelheim. At Jonestown, those who, like Bettelheim's camp inmates,

> did not develop a childlike dependency were accused of threatening the security of the group. . . . The regression into childlike behavior was inescapable. . . . [They] lived, like children, only in the immediate present; they lost their feeling for the sequence of time; they became unable to plan for the future. . . . They were unable to establish durable object relations. Friendships developed as quickly as they broke off. [*Journal of Abnormal and Social Psychology*, 1943.]

For the acceptance of the new life, everything that had to do with the personal life of the past or of the present—relatives, friends, social, personal, and intimate values—had to be defiled. "When your name was called, people would scream, 'Get down there,' and swear. It was hostile," said a former member. "Everyone related to you was required to run up and accuse you." Any



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loyalties, any solidarity, any relatedness between the members of the Temple had to be broken up, and mutual accusations, hostilities, and mandatory denunciations were used to bring this about. Nobody could trust anybody. Not being permitted to establish relationships with one another, they soon became incapable of doing so, like Don F., who wrote in one of his mandatory letters of confession: "Now I know I'm like a banana, just one of the bunch. I have come a long way" (*New York Times*, November 29).

### "Sex Was One of Jim's Specialties for Pulling People Apart."

CHILDREN WERE removed from their parents, spouses separated, matches made and broken up. Family ties within the church were always kept under Jones's direct control. Jones knew that the most effective way to control personal relationships is to control libidinal attractions. When he bragged to his lawyer, Charles Gary, about having sex with 14 women and 2 men in that one day, he explained that this was to assure their loyalty to him.

Jones ordered marriages ended and rearranged. Many of his marathon six-hour sermons dwelled on sex, including directions to members to swear off relations. Already in the church he had established a kind of spy group that regulated everything including hand holding, forced divorces and shotgun marriages. A high school boy seen talking to a girl who did not belong to the Temple would be called before the assembly to talk at length about his sex life.

"Sex was one of Jim's specialties for pulling people apart," said a former member. For married couples, Jones would often have another form of advice: abstention. Couples were forced apart and told not to engage in sexual intercourse because it was evil.

Lewis Coser has argued elsewhere that such manifestly opposite sexual patterns as abstinence and sexual promiscuity serve the same purposes (*Greedy Institutions*, Free Press, 1974). Both promiscuity and celibacy help prevent stable dyadic bonds, for such bonds detract from emotional attachment to the community and its leaders. Whether members refrain from all sexual relations, as did the Shakers, or whether there is a controlled form of promiscuity, as in Oneida, is sociologically unimportant. What these communities share is a deliberate attempt to prevent dyadic personal relationships so that emotional energies will be purposely channeled. A similar pattern prevails in other totalistic communes today, for example, at Synanon. A recent *New York Times* report (December 10, 1978) describes the policies introduced by its leader, Mr. Dederich. They include forced vasectomies for male members, mandatory abortions for women, and orders from Mr. Dederich for more than 230 married couples to divorce and switch to other partners within the group.

### "I'm Dead Inside"

THE PROBLEM, it seems to us, is that emotional energies cannot simply be "channeled" for the common or not so common good. Arbitrary and unpredictable interference with them leads to their being damaged at best and destroyed at worst. The latter happened in Jonestown. When people are cut off from emotional bonds with their fellows they have no psychic energies left that can be mobilized even in situations of extreme peril. How many were there among the hundreds of adults in line for cyanide who asked themselves like Odell Rhodes, "How can I get out of here?" as he later reported? Could he not at least have made eye contact with someone who had similar feelings? It seems that at the high point of the ceremony of self-immolation everyone was but an atom unto itself, unable to relate even in imagination to others who might share some doubts. They must all have felt, as Odell Rhodes later stated about himself, "dead inside" (*New York Times*, November 29).

Jonestown was more "greedy" an institution than has probably ever existed. It successfully "devoured" its members by



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making total claims on them and by encompassing their whole personality. By claiming, and receiving, undivided loyalty, and by reducing the claims of competing roles and allegiances, it succeeded not merely in totally absorbing members within its boundaries but in reducing them to human pulp as well. Not only did it erect insurmountable boundaries between the inside and the outside, between the "reborn" collective present of the members and their "disreputable" private past; it also succeeded in maiming them by breaking up any mutual attachments, sexual or otherwise. The stable relationship, *voilà l'ennemi.*

Even as we recoil in horror at the unfolding of the Jonestown story it behooves us not to look at it in isolation. It did, after all, unfold at this time and in this place. While it would be fatuous to blame what happened on "American society," we must keep in mind that the damned and the lost and the hopeful who flocked to Jones and the People's Temple did so because the society in which they lived had failed to provide satisfactory bonds, meaningful community, and fraternal solidarities. To Jones's followers, the society felt like a desert devoid of love; so they turned to the People's Temple, which they saw as an oasis. Although their quest turned out to be a delusion, we cannot deny that their need was acute. □

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# Samuel Hux

# The Debris of Ideas

American conservatism has not been, by and large, intellectually very precise. Lionel Trilling's judgment in 1950—which every conservative writer or anthologist seems duty-bound at some time to mention in rebuttal—remains apt: "with some isolated and ecclesiastical exceptions" conservative impulses in America express themselves not in ideas but "in action or in irritable mental gestures which seek to resemble ideas." On this matter, conservatism tends to have its cake and eat it too: first, the charge isn't true but, second, if it is it's because conservatism begins with lived experience, rooted traditions, and those rights assumed to be ancient, obvious, and unarguable, which Edmund Burke called "prescriptive," instead of with *a priorism* and rationalistic engineering. The question is begged, when it's convenient to beg it, whether *rationalistic* and *intellectual* are interchangeable terms. Another question begged is whether mainstream American conservatism has anything to do with Burke, or with the lyricist of tradition Coleridge, or even with John Adams. Clinton Rossiter, certainly a friendly student, in *Conservatism in America* listed among those principles of traditional conservatism about which the American conservative *"is serenely unconcerned,"* "the mystery, grandeur, and tragedy of history"; among those with which *"he substantially disagrees,"* "order, unity, equity, stability, continuity, security, harmony, and the confinement of change as marks of the good society"; and as the one with which *"he completely disagrees,"* "the primacy of the community."

On the other hand, the traditionalist rhetoric, which is nonetheless retained, often reveals ironically the conservative's true assumptions and makes him look rather foolish—as when he contructs a conservative rationale out of prescriptive rights (instead of an abstractly reasoned rights-of-man), out of respect for ancient values (instead of lately attained prejudices), out of duty and responsibility (instead of self-interest), out of the virtue of old-fashioned property with which one has mixed his labor (instead of mere stock-holding or managerial interest), and so on, and then argues the *consequent* justice of something as relatively abstract, newfangled, acquisitive, and alienating as laissez-faire capitalism, to say nothing of neocapitalism. What's revealed is "essentially an Adam Smith got up in Edmund Burke's prose," as Joseph Epstein once characterized William Buckley in these pages. On the other hand, the rhetoric often marvelously obscures the assumptions and makes them seem mere afterthoughts just casually above the inconsequential—as when Russell Kirk assures us that "A conservative order is not the creation of the free entrepreneur: rather, the modern man of business exists only because a conservative order recognizes the importance of his function."

When, as used to happen with great regularity, one of those ex-Comrades not to the conservative manor born would come along to articulate the real impulses of



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American conservatism—the late Frank Meyer, for instance—he generally dispensed with the Tory rhetoric and admitted that Burke is an intellectual foreigner to the American right. Of course, there was no frank admission that the principal beneficiary of conservatism is the capitalist. If he benefits (the story went) that's a mere accident of liberty-for-all, if he benefits just a little more that's the price all must pay for liberty, essentially his benefit is no greater than the ghetto-dweller's or unskilled laborer's. But at least there was no quoting of Coleridge or paeons to Disraeli, no tragic posturings about "fallen human nature." Rather, the "twice-born ideologue"—as John P. Diggins called the type—trading one fierce political extreme for another, tended to revel in his cowboy virtues. Absolute laissez-faire in the market. Not duty, but freedom to be dutiful or not. Society not a community (not a collectivity, he'd have interpreted that), but an atomistic series of individuals. That, in the 1950s, was one "new" conservatism, and somehow one knew what to expect of it.

What of the newest? The "neoconservatism" of today is not a reeling away from a misspent totalitarian youth, and, in fact, it brings with it a reputation for circumspection, intellectual moderation, fierce honesty, and a kind of respectability almost philosophical that the older "new conservatism" never really had. His intellectual credentials aside, what distinguishes the *neo*conservative from the ordinary conservative, according to a conservative friend, is that he's "not so sure about capitalism" (two cheers instead of three?). He may be an ex-liberal "newly" conservative, like Nathan Glazer or Irving Kristol, or he may never have been, so far as I know, anything but conservative, like Robert Nisbet or Peter Berger—names I select to make things manageable.

I don't think that neoconservatism is a monolithic movement; I see two principal directions. And since I think the differences are more profound than the single term *neoconservative* suggests, I'd like to use some qualitative and historical terms to give both directions their due and suggest that conservatism remains as fractured as it's always been. The first I'd characterize as essentially either temperamentally and philosophically conservative, as Nisbet and Berger seem to me to be, or pragmatically conservative, as Glazer strikes me with his sociological nuts and bolts. I hesitate to help bloat the political vocabulary, but privately I think of the three as "neo-Tories" when I consider that old-fashioned Toryism, while adamant that change must come within the framework of a traditional order, often turned its energies to the questions of social justice that the Whigs tended to assume needed no direct and "meddlesome" attention. By this token, the second direction, Kristol's, a defensive conservatism of possession, seems to me rather Whiggish: a society is great only to the degree that its financial and industrial barons are respected. I think the first direction signifies a quarrel with democratic socialists over means, the second over ends. I don't think the first neoconservative type will be listened to very closely by the nonreflective, ordinary American of the right, but the second will be welcomed as mentor. And I think that fact is the most significant of all: the ordinary elector of congressmen and voter on referendums (I thought conservatives were supposed to abhor the plebiscite as a violation of the genius of indirect government!) knows what conservatism really means in this nation.

It does not mean "to empower people"—to use the title of a pamphlet by Berger and the liberal journalist and theologian Richard John Neuhaus—through strengthening those "mediating structures" like neighborhood, family, church, and voluntary association as a counter to the "megastructures" of public and corporate life. Nor does it mean Nisbet's fear that power grows "invisible" in modern society. Nor does it mean Glazer's concern with legitimate "limits of social policy" in such a way that Welfare as a mechanism for alleviating social distress does not weaken "traditional mechanisms" from family to *landsmanschaft*.

As worthy as these considerations are, they're not what conservatism means to the



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affirmative voter on Proposition 13 or to the voter helping push Congress surely to the right, any more than it means the patent absurdity I'm sure these thinkers would reject, that the American people or enough of them are tired of the plebeian vulgarities of the tasteless modern world, concerned with the threats to the moral backbones of their neighbors, and, in general, are jealously guarding the ancient polities they love because they inherited them from their fathers and their fathers' fathers, knowing the value of Chesterton's "democracy of the dead," knowing with Burke that society is "a partnership not only between those who are living, but between those who are living, those who are dead, and those who are to be born." Who, a demented right-wing ideologue excluded, would argue such? Who—no one excluded—would believe it?

It means, rather, that free enterprise should suffer no controls (grants and tax loopholes, that's another matter), either because I am a free enterpriser or because I may someday be, and if someone argues the heresy that American capitalism is no longer free enterprise he's trying to confuse us, and if some industry practices sharp tricks that might seem to justify controls that's a matter of one rotten apple, not the barrel, and anyway cleverness is one way of getting ahead and not altogether unadmirable. It means that Welfare, whether in its present sorry state or in a more just and efficient arrangement of payments or as negative income tax or what-have-you, is not *cost*-efficient, and I don't have any obligations toward my unfortunate fellow citizens anyway, although charity toward a private individual of course is a holy thing (even the thought of it, that more likely than the act) and good at least for my sense of self (and may be morally instructive for the recipient: he sees me being kind and feels a little ashamed of himself, as he damned well ought to), and since we're not going to get rid of Welfare, as frankly I can't see us doing, I don't see why it shouldn't be made at least a little more punitive. . . .

I'm not caricaturing an evil fellow, just an ill one. Some of his characteristics are in fact virtues, like enterprise, pride, ambition, which have become crippled; but as often is the case, crippled virtue means a mean spirit. I cannot, however, be so "understanding" toward his mentors who tell him his virtues are in a good state of social health. And I do not think the second direction of the "new" conservatism is signficantly different from the old; it is just as philosophically glib, a mere ideological justification of crippled virtues, a manner of dismissing certain social necessities as "beneath" us.

Kristol's now famous sentiment from *Two Cheers for Capitalism* is instructive:

> A nation whose politics revolves around such issues as day-care centers or school lunches or the "proper" cost of false teeth is a nation whose politics is squalid, mean-spirited, debasing.

In what way is a nation whose politics revolves around such issues as cost-efficiency, or GNP, or "proper" profits, a nation whose politics are grand, fair-spirited, elevating? I'm sure Kristol would protest that's not *exactly* what he means, although readers of the *Wall Street Journal,* in which his words first appeared, might be excused for assuming it is. But why, if a nation's politics revolves around dental costs and such, must it revolve around them alone? It doesn't, of course; but that's a clever rhetorical move, and also a way of ignoring what one should be able justly to expect a government minimalist to realize (if conservatives really are concerned with minimalism): that if government has any justification for its existence at all, it is precisely to see to the health and welfare of its citizens; anything else is extra. And if someone is really offended that politics "revolves around such issues" (oh that it did!), it would seem he'd wish that adequate health and welfare measures be established once and for all so that politics can be released to its "proper" or "higher" energies. Kristol would like them established, as a matter of fact, but his definition of adequacy is stingy: no more than the bare minimum, which will leave a capitalist polity safe from social complaints.

Long before Kristol raised his two cheers (*two* not out of skepticism about capitalism,



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as he admits, but because nothing deserves three), back when it was still barely possible to consider him a kind of cautious, unromantic, no-nonsense liberal, iconoclastic, realistic, crusty, and all such good things, he was writing in *On The Democratic Idea in America:*

> Welfare policy in the United States is based on a very simple—and enormously flattering—thesis about American human nature. The thesis consists of the following propositions: (1) all Americans are highly motivated to work as a means of improving their material condition; (2) those Americans who seem not to be so motivated are suffering from temporary "psychological deprivation" as a result of poverty, bad housing, bad health, and so on; (3) improve their material environment and the "normal" impulse to self-betterment will automatically assert itself.

A FEW REMARKS:

(1) As long as intellectual historians can remember, conservatives have been tsch-tsching about "human nature" when it's convenient to do so: *we* know that man is fallen and imperfect, while you liberals and socialists think him perfectible. When a conservative whose conservatism amounts to, or even contains, capitalist apologetics so tsches, it's a sign either that thinking has ceased or that thoughts must be disguised. It is absurd to propose *both* that human nature is dark and that capitalism is a just ordering of the economy. True, Adam Smith could imagine a world in which the unrestrained free competition of fallen men concerned only with self-interest gave birth paradoxically to a common good. But, first, he was writing about a model economy of small manufacturers and entrepreneurs, none of whom where capable of cornering a market or were interested in forming conglomerates or agreeing cleverly among themselves on prices; and, second, he assumed a model world that knew nothing of geometrical population growth, potential scarcity of food and material, or other factors that would upset the delicate balance theoretically achieved by my greed being limited by yours and yours by mine.

Since we do not live in a world that's small and beautiful and stable, laissez-faire economics makes sense theoretically *as a system of justice* only if one imagines capitalists saying to themselves, "You know, things are pretty rough on the people; I think it would be a good idea if we could manage to reduce our profit margins by knocking prices down considerably. We wouldn't have to lay off people to compensate for the loss; we could just take some of it out of R&D and set a limit on executive wages. There's a hard winter coming, and the people need a break, you know." It makes sense, that is, only if one subscribes to a happy view of human nature as essentially altruistic, which conservatives usually dismiss because they think leftists hold it. Now, Kristol's tsching is a little more sophisticated than the ordinary conservative writer's—only occasionally does he moan that we are but the descendents of Adam, alas that it were not so. But on the other hand, if he does not think the "impulse to self-betterment" is "'normal'" then he denies to the capitalism he would defend its traditional motor. Either thinking has ceased, or Kristol's reflections on human nature are but a debator's thrust.

(2) Welfare presupposes no such assumptions as Kristol would stick it with. It does not propose that all want to work if they but could, although it assumes that most do. It proposes that whether in the individual case it's a matter of structural unemployment or base human sloth, a national polity has no ethical right to consciously allow a human being to sink to greater degradation or to starve, and that *if* Welfare is merely "the dole" and degrading, degradation is not so final as starvation. It proposes that even if a particular adult would not work, no matter how many and good the chances, the sin of the father should not be suffered by the dependent—even if intervention on behalf of the dependent were considered meddlesome and an insufficient respect shown the traditional institution of the family.

(3) One wonders how far the conservative "realistic" attitude might be extended. As far, perhaps, as to that other, overdue, considera-



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tion of Welfare, national health insurance? Might one say, socialized medicine is based on a flattering assumption about human nature—that all people want to be healthy, that those who do not are suffering from anomie and such, and that if you make health care a social right they will exercise their "normal" impulse to live.

(4) That *old* American conservative attitude toward Welfare suited up anew by Kristol, since it attacks *the assumptions it thinks lie beneath Welfare,* is ultimately not a quarrel with specific abuses but with Welfare itself. I'm reminded of a remark by the traditionalist conservative George Will that the prototypical American conservative has examined his conscience, prayed long for guidance, "and come to the conclusion that it is high time the government cut his neighbor's benefits."

The neoconservatives concerned with "traditional structures," like Berger, Nisbet, and Glazer, yet share a common universe of discourse with democratic socialists—although it seems to me that socialists are more appreciative than neoconservatives of the fact that traditional structures for coping with distress began breaking down long before anything approaching social democratic measures were taken, and that a responsive measure is not a cause. But since the stakes are large—a humane vision of distributive justice—there's no reason to expect that acrimony will not pierce that universe.

The other "neo-" conservatism, represented by Kristol, is talking about something else altogether. Much of Kristol's last book (usually the parts that first appeared in the *Wall Street Journal*) amounts to no more than advice to executives on how to improve the corporate image and how to put the "New Class" of conspiratorial anticapitalist intellectuals of the media, universities, and foundations in their place. But much of it (usually those parts collected from the *Public Interest*) is an energetic analysis of what happens "When Virtue Loses All Her Loveliness"—what happened to capitalism when "the will to success and privilege was severed from its moral moorings." It is beside the point that I don't think capitalism ever had any moral moorings or any virtue lovelier than skin-deep. The point is that whether Kristol is dispensing advice to corporations or arguing details with Friedrich von Hayek or Milton Friedman, his energies are directed to justifications of what we still insist on calling the market; that this is *the* moral issue for him; and that he thinks that's clearly a more elevated consideration than questions of who baby-sits for the working mother's kids or how much dentures cost, or even the question of whether such matters aren't of consequence to a traditional institution like the family.

*This* neoconservatism is no more than the old: a capitalist apologetics that sometimes speaks the elegant language of aesthetic disdain. Russell Kirk began *The Conservative Mind,* back in 1953, by reflecting on Burke in Dublin, with an affectation of tragic nostalgia. He told us where we might find the noble facades of monuments and the statues of Burke and other great figures from the heroic past. He told us also where we might hear living Irishmen proud that "they have succeeded in increasing sevenfold the pensions of widows, a mere earnest of their intent." A worthy intention, that? Not to Kirk! Displeased with a politics that "revolves around such issues," as Kristol would put it, he quoted Burke: "What shadows we are, and what shadows we pursue!" Kristol's voice and tone, like the substance of his concerns, sound too familiar to me. □



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Peter Steinfels

# Neoconservatives and the Fear of Equality

One of the more perplexing aspects of neoconservatism is its apparent belief that America is in the grip of implacable egalitarianism. Nathan Glazer gloomily contemplates the "awesome potency" of "the revolution of equality . . . the most powerful social force in the modern world." It "not only expresses a demand for equality in political rights and in political power; it also represents a demand for equality in economic power, in social status, in authority in every sphere. . . . There is no point at which the equality revolution can come to an end." Martin Diamond writes of "a vast inflation of the idea of equality, a conversion of the idea of equal political liberty into an ideology of equality . . . a demand for equality in every aspect of human life."

"Everywhere, equality is the cry," declares Daniel Moynihan, meaning by "everywhere" the world outside our borders but soon indicating that the insidious enemy (British socialist notions) is within as well. Aaron Wildavsky wonders whether the society can withstand "the forces in favor of pushing public policy over the egalitarian precipice." Irving Kristol warns against those who "prize equality more than liberty," a point of view "especially popular in some circles—mainly academic ones—in the United States today." "The kind of liberal egalitarianism so casually popular today will, if it is permitted to gather momentum, surely destroy the liberal society."

Following a long and detailed discussion of "Meritocracy and Equality," Daniel Bell suddenly lets loose at something called "contemporary populism."

> Contemporary populism, in its desire for wholesale egalitarianism, insists in the end on complete levelling. . . . Its impulse is not justice but *resentment*. What the populists resent is not power . . . but authority—the authority represented in the superior competence of individuals. In the populist sociology, for example, the authority of doctors should be subject to the decisions of a community council, and that of professors to the entire collegiate body (which in the extreme versions includes the janitors).

No one has exercised himself more energetically on the topic than Robert Nisbet:

> Equality has become more than a time-honored value. . . . It is by now tantamount to religion, carrying with it . . . the same kind of moral fervor and zeal, much the same sense of crusade against evil, and much the same measure of promise of redemption that have historically gone with religious movements.

The end of this process, for Nisbet, will be nothing less than a "new despotism." Of all

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the "taking-off points of the new despotism in our time," what Nisbet calls the New Equality "has widest possible appeal, and . . . undoubtedly represents the greatest single threat to liberty and social initiative."

It is not easy, not at first glance anyway, to discern what has brought neoconservatives to this boil. They themselves observe with pleasure what radicals observe with distress, that a markedly greater equality of condition is by no means a popularly held ideal. Nor can it be said that equality of condition, insofar as income statistics measure it, has encroached noticeably in recent decades, if at all, upon our traditional disparities. Discrimination between races and sexes has certainly diminished, though the degree of change and its durability are matters of considerable debate. Yet this movement toward equality fits easily into the standing notions of equality of opportunity: minorities and women should have an equal chance of achieving the patterns of inequality existing among whites and males. Neoconservatives are quick to point out the traditional nature of this development and to attribute as little of it as possible to devices like affirmative action, reputed to depart from the old norms. With the exception of the intellectuals, writes Norman Podhoretz, "very little resentment exists anywhere else in this country over discrepancies of wealth and condition. . . . it would be hard to find anyone in this country who believes, or at least professes to believe, in equality of condition as a desirable social goal."

Is the problem, then, the intellectuals? To be sure, with the neoconservatives the problem is always the intellectuals. It is unlikely that neoconservatives will recognize that liberal intellectuals, like liberals generally and indeed the populace as a whole, have been concerned about *poverty* rather than equality, while even most radicals have extended this concern only to what they see as a necessary step for relieving poverty, the reduction of the political power of wealth. The banner of equality does fly over these campaigns, though remaining largely undefined, and drawing loosely upon both the American attachment to equality of opportunity and an elementary sense that it is not healthy for the bottom of a society to be deprived and the top to be overbearing. But even assuming what is manifestly not the case, that this extreme passion for equality fires the hearts of the intellectuals, why, with a citizenry so unreceptive and an economy so unbudging, should this be threatening?

Odder yet is that the supposedly perilous deviation in this march of equality can be traced to the neoconservatives themselves. The critical document is the Moynihan Report, where the "demand for equality" received a rather extended discussion. "Liberty and Equality," wrote Moynihan,

> are the twin ideals of American democracy. But they are not the same thing. Nor, most importantly, are they equally attractive to all groups at any given time; nor yet are they always compatible, one with the other. . . .
>
> By and large, liberty has been the ideal with the higher social prestige in America . . . the middle class aspiration, par excellence. . . . Equality, on the other hand, has enjoyed tolerance more than acceptance. Yet it has roots deep in Western civilization and "is at least coeval with, if not prior to, liberty in the history of Western political thought."
>
> American democracy has not always been successful in maintaining a balance between these two ideals, and notably so where the Negro American is concerned. "Lincoln freed the slaves," but they were given liberty, not equality. It was therefore possible in the century that followed to deprive their descendants of much of their liberty as well.
>
> The ideal of equality does not ordain that all persons end up, as well as start out equal. . . . But the evolution of American politics, with the distinct persistence of ethnic and religious groups, has added a profoundly significant new dimension to that egalitarian ideal. It is increasingly demanded that the distribution of success and failure within one group be roughly comparable to that within other groups. It is not enough that all individuals start out on even terms, if the members of one group almost invariably end up well to the fore, and those of another far to the rear. This is what ethnic politics are all about in America, and in the main the Negro American



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demands are being put forth in this now traditional and established framework.

Here a point of semantics must be grasped. The demand for Equality of Opportunity has been generally perceived by white Americans as a demand for liberty, a demand not to be excluded from the competitions of life—at the polling place, in the scholarship examinations, at the personnel office, on the housing market. Liberty does, of course, demand that everyone be free to try his luck, or test his skill in such matters. But these opportunities do not necessarily produce equality: on the contrary, to the extent that winners imply losers, equality of opportunity almost insures inequality of results.

The point of semantics is that equality of opportunity now has a different meaning for Negroes than it has for whites. It is not (or at least no longer) a demand for liberty alone, but also for equality—in terms of groups results. In Bayard Rustin's terms, "It is now concerned not merely with removing the barriers to full *opportunity* but with achieving the fact of *equality*." By equality Rustin means a distribution of achievements among Negroes roughly comparable to that among whites.

As Nathan Glazer has put it, "the demand for economic equality is now not the demand for equal opportunities for the equally qualified: it is now the demand for equality of economic results. . . ."

. . . By and large, the programs that have been enacted in the first phase of the Negro revolution—Manpower Retraining, the Job Corps, Community Action, et al.—only make opportunities available. They cannot insure the outcome.

The principle challenge of the next phase of the Negro revolution is to make certain that equality of results will now follow. If we do not, there will be no social peace in the United States for generations.

Here Moynihan urged, and urged with a reference to "no social peace" that many neoconservatives would now denounce as an implicit threat, both the shifts in the meaning of equality that neoconservativism now finds so menacing: (1) the shift from equality of opportunity to equality of results; (2) the shift from equality between individuals to equality between groups.

Moynihan recognized that equality could both conflict with liberty and support it; he recognized that the emphasis on equality between groups was both a "new dimension" to the egalitarian ideal and a "now traditional" expression of American ethnic politics; he recognized that the emphasis on equality of results was both continuous with equality of opportunity and a divergence from it. His passage left a number of points ambiguous and unsettled, but it attempted to pay heed to different conceptions of American social ideals, rendering them neither starkly opposed nor perfectly harmonious. In this, it resembled most of the later cases for greater equality. What developments made neoconservatives look upon the ambiguities of these formulations no longer as the inevitable concomitants of a difficult problem but as the intolerable basis of future disasters?

The next years were marked by an intense reexamination of the relationship between education and equality, a particularly tangled topic because the "result" of education, especially early education, is believed to determine "opportunity" for the rest of life, especially in a credential-conscious society. James. S. Coleman and his collaborators completed their massive study *Equality of Educational Opportunity* in 1966; Moynihan then helped conduct a Harvard faculty seminar reanalyzing the data. At the end of the decade furious debates broke out over compensatory education programs like Head Start, over community control of inner-city schools, and over theories linking IQ differences and race. Ivan Illich popularized "de-schooling." And in 1972, the book *Inequality* by Christopher Jencks et al. seemed to tie all the debates together as it simultaneously rejected hereditarian theories of intelligence *and* liberal confidence in schooling as a remedy for inequality. Jencks called for a straightforward attempt to equalize income by government redistribution. As successful products of existing educational systems, as teachers and scholars within them, and as defenders, during the same years, of the liberal university's legitimacy against the criticism and



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sometimes disruption of the New Left, neoconservatives might easily have felt that "equality" was a key that had opened the door to the tiger and not to the beautiful lady. Furthermore, in 1972 leading neoconservatives were accused, along with the proponents of race-IQ links, of directing a "new assault on equality." Perhaps their critics, then, had partially determined the ground for future debate.

Behind most of the talk of the "revolution of equality," the "egalitarian precipice," "complete leveling," and the despotic "New Equality," one discovers two much more mundane issues: neoconservatism's disenchantment with the Great Society and its opposition to affirmative action. The Great Society and affirmative action are complex realities, not easily evaluated; but surely little in the still shifting debate over affirmative action and less in the record of the Great Society suggests we are approaching the egalitarian precipice. It is the flickering light of neoconservative fears that has cast the Great Society and affirmative action and the rather moderate egaliatarian impulse of recent years into outsized and ominous shadows. What is the nature of those fears?

## Equality versus Liberty

A CONSPICUOUS SIGN of the passage from liberalism to neoconservatism has been the revival of the notion that preoccupied the 19th century, the conflict between equality and liberty. Not that an earlier liberalism denied the tension that could exist between equality and liberty, but it refused to harden this tension into an irreducible opposition and then place it at the center of political analysis. The premise of that opposition was either that liberty could be nurtured and protected only by an aristocracy or an establishment of independent wealth—this was the conservative belief—or that liberty was nothing but free and individual contract and therefore threatened by any exertion of government aimed at relieving the condition of those in need—this was the *laissez-faire* liberal or the Spencerian belief. In the 1950s it was the political right in America that had inherited these discordant postures.

WHEN DANIEL BELL took up the topic of equality in *The End of Ideology* it was to refute the antiegalitarian and "aristocratic" criticism of mass society; and scarcely anyone addressed the apprehension that welfare-state measures were stifling American liberties—was this not the hoary complaint of anti-Roosevelt diehards? It would be difficult to imagine today's neoconservatives assenting in 1955, as they apparently did in 1975, to Daniel Moynihan's identification of the United States with the "liberty party" as against the "equality party." They would have squirmed at the opposition, confident that the United States was both.

The neoconservatives are not unaware that liberty in some measure assumes equality. One can have equality without liberty but not liberty without equality. To be free of others' power means, in some crucial respect, to be equal to them. Yet the problem for now, writes Daniel Bell, is "the contrast and not the conjunction" between liberty and equality.

The reason is the alleged transformation of equality of opportunity into equality of result or condition. That the two cannot be so precisely distinguished and that a healthy degree of the second as well as of the first is necessary for the flourishing of liberty are truths that the neoconservatives know because they are commonplaces of political philosophy. Great inequalities of wealth are a danger to free government; and even short of such grave danger, the man who can wield a thousand times the political influence of another because he has made (or inherited) a fortune can reasonably be said to have limited the latter's liberty. The concern of egalitarians with great riches has been far less with the excessive consumption than with the excessive power they afford.

The relationship between equality of condition and liberty is also affected by the definition of liberty one has in mind. A purely "negative" liberty—the "right to be left alone," the absence of coercion by other people? Or some concept of "positive"



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liberty—a capacity for self-determination, the ability to share actively in political life and to exercise one's natural gifts? The compatibility or incompatibility of these notions is, of course, the subject of much political thought; but to the degree that one is concerned about positive as well as negative liberty, one will also be concerned about equality of condition. Neoconservatism, so far, has straddled this issue. Like the American liberal tradition generally, it values negative liberty as an absolute prerequisite, but it further advocates a reflective and self-disciplined personality that implies the ideal of positive liberty.

Neoconservatism has in fact been vague about the liberty it views itself defending against the onslaught of equality. Certainly it is the freedom from the racial categorization seen operating in affirmative action. It is freedom from government intervention in the university. But otherwise, is it primarily freedom from government regulation for large and small businesses? (Incidentally, it takes a stretch of terminology to attribute much of this regulation to egalitarian passion; preservation of the environment and protection of workers are natural expressions of government's concern for health, safety, and general welfare.) Neoconservatives have manifested small concern for the rights of dissent this side of the Iron Curtain. They excoriate the courts for extending the reach of government in busing and other questions of discrimination; but they have been lukewarm or negative toward legal efforts that limit government power, in areas like abortion, freedom of the press, school discipline, and the rights of prisoners, mental patients, and welfare recipients.

The opposition between liberty and equality, then, can be translated into several specifics. Negatively, it is a useful rhetorical gambit that portrays the advocates of equality as the enemies of freedom. Positively, it is a warning against the excesses of affirmative action; the championing of entrepreneurial freedom against government regulation; and the demand that well-established institutions, particularly those envisioned as providing social cohesion, be free to keep their own houses in order without government interference on the side of dissatisfied minorities.

## Equality versus Meritocracy

NEOCONSERVATIVES are entirely correct in identifying one current of our time: the attack on professional authority and technical enterprise. In 1967, Paul Goodman attempted to teach a graduate course on "Professionalism" at the New School for Social Research: his students utterly rejected the concept and the distinctions it implied. Yet this was not a phenomenon limited to angry students in the '60s or dropouts in the '70s; nor to the more subtle but equally radical analyses of Ivan Illich. It was reflected in the impatience of ordinary citizens with the medical profession and the consequent demand for patients' rights; in the complaints against the law profession and demands for greater access to legal assistance; in the flood of books and classes and self-help groups promising the possibility of becoming one's own doctor, lawyer, architect, auto mechanic, and (perhaps for native Americans) Indian chief. Neoconservatism sees in this mood a populist leveling, a resentment against "the authority represented in the superior competence of individuals." Again, the shift from equality of opportunity to equality of condition is said to be at fault. Equality of opportunity allows and encourages "every individual to better himself by means of his own exertions" and honors the distinctions based on those exertions. Equality of condition, on the other hand, rejects all such distinctions, in terms both of authority and of rewards. It rejects the meritocracy.

There are several ways in which this neoconservative explanation misses the mark. First, much of the hostility to professional authority and expertise does not express a rejection of "superior competence"; it expresses a disbelief, often backed with evidence, that the claimed competence is actually superior—or even competent. It is especially skeptical when the claim is based on some system of official credentials. Here the



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principle that superiority deserves special consideration is not at stake. The objection is directed toward this or that supposed instance of superiority—are the services provided by physicians or auto mechanics really ones most people couldn't provide for themselves or one another?—or toward the validity of the offical tests of such claims—does a medical degree indicate a genuine skill at caring for the ill? Willingness to believe the evidence advanced against the competence of "experts" is no doubt affected by resentment at the special prerogatives that often accompany expert status; but the ground of the dispute is still the quality of the evidence rather than the principle of equality. Doubts about the credentialed expert—about "book-larnin'" and "know-it-alls"—have long coexisted in America with a respect for what was conceded to be "genuine," demonstrated talent.

Neoconservatives also exaggerate the attitude of those interested in greater equality of condition. Very few advocates of income redistribution have anything like leveling in mind; nor do critics of meritocracy object to any and all distinctions flowing from different talents or exertions—they object to the range of distinctions that *currently* flow from these things, and that, as we shall see, is a different matter.

Each faction in this debate entertains suspicions about the other. The neoconservatives suspect that the antimeritocrats undervalue excellence and high cultural standards. An antimeritocratic victory would relax the pressure for quality and blur the criteria by which quality is recognized. A sentimental refusal to admit differences in talent and character would squander resources on those that can benefit little from them and deprive those who can benefit greatly.

The antimeritocrats, for their part, feel that talk of equality of opportunity and meritocracy is used to justify inequalities that have nothing to do with merit. "Most social systems need a lightning-conductor," wrote R. H. Tawney. "The formula which supplies it to our own is equality of opportunity." Tawney also outlined what he called the "Tadpole Philosophy":

> It is possible that intelligent tadpoles reconcile themselves to the inconveniences of their position, by reflecting that, though most of them will live and die as tadpoles and nothing more, the more fortunate of the species will one day shed their tails, distend their mouths and stomachs, hop nimbly on to dry land, and croak addresses to their former friends on the virtue by means of which tadpoles of character and capacity can rise to be frogs. This conception of society may be described, perhaps, as the Tadpole Philosophy, since the consolation which it offers for social evils consists in the statement that exceptional individuals can succeed in evading them. . . . Who has not encountered the argument that there is an educational "ladder" up which talent can climb. . . . As though opportunities for talent to rise could be equalized in a society where the circumstances surrounding it from birth are themselves unequal! . . . As though the noblest use of exceptional powers were to scramble to shore, undeterred by the thought of drowning companions.

Are not meritocratic theories, insofar as they suggest that present society is or is becoming stratified by merit, simply the croaking of the successful Tadpoles in celebration of their own frogginess? One well-known sociologist expressed his irritation at the neoconservatives' apparent satisfaction with the social order by saying that they "bring to mind an encounter with an old-time Chinese gentleman many years ago. When discussing the failure of the Chinese prerevolutionary regime, I happened to remark upon its unconscionably high infant mortality rate. 'The thing has been exaggerated,' he said, 'after all, *I survived.*'"

WHATEVER THE TRUTH behind these suspicions of motive and intention, there are at least three points of principled difference between the defenders of meritocracy and those who would increase equality of condition. The first two points can be illustrated by turning to John Rawls's *A Theory of Justice.*

First, Rawls has been a curious presence in



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this conflict. It is doubtful that the critics of meritocracy even drew upon his work for their criticism, or even looked to it much for reinforcement after *A Theory of Justice* finally appeared in 1971. But the book was received among some neoconservatives with something approaching hysteria. Robert Nisbet reviewed it in the *Public Interest,* comparing Rawls to Rousseau and the 18th-century *philosophes* inhabiting Parisian salons (the consummate case of wickedness in Nisbet's mental world). To this thoroughly inept parallel, he added an almost willful misreading of Rawls's argument. Irving Kristol managed to link Rawls with New York City's financial problems. (The Securities and Exchange Commission, in calling numerous politicans and bankers on the carpet for their roles in New York's crises, somehow overlooked the Harvard philsopher.)

Nisbet, Kristol, Aaron Wildavsky, and Seymour Martin Lipset all take from Rawls not Rawls's theory in its complexity but what they assume that liberal egalitarians will make of him. Rawls's insistence, for example, on "the priority of liberty" is ignored or set aside, perhaps because it would be inconvenient to discover such sentiments in the egalitarian enemy. Daniel Bell and Charles Frankel add to the chorus making Rawls a monument of the "new" egalitarianism (it is worth pointing out that the nugget of Rawls's book was published in 1958, which means that not only can we say, with Wildavsky and Kristol, that Rawls is the after-the-fact rationalization of the new equality, he is also the before-the-fact anticipation of it); but Bell and Frankel are considerably more scrupulous and generous in their rendition of *A Theory of Justice.* Frankel's critique, published in *Commentary,* is temperate and engaging. He makes a number of points that are common to the philosophical criticism of Rawls's work: the problem of the abstract and detached character of its "pure theory"; the difficulty of identifying the "least well-off," whose condition is a touchstone in his scheme for judging the morality of inequalities; the potential of Rawls's theory for justifying any degree of inequality as long as some benefit, no matter how little, trickles down to the poor. (Most neoconservatives seem unware that such aspects of Rawls's argument have left many politically active egalitarians quite chary of embracing it.) Frankel also cites Rousseau favorably, quotes Spinoza's statement that "if equality of conditions be once laid aside, liberty perishes," and entertains a most direct conception of the egalitarian ethic:

> It was a conviction that there are people of power and feeling hidden away in all sectors of society, and that life would be richer if they were found. It was the suspicion that there is nothing like being on top to make a man a windbag, and that it does everybody a world of good to see him slip on a banana peel. It was the knowledge that the rich and powerful, not necessarily through malice but simply as a reflex of who they were and what they had, would have a natural tendency to try to form a closed club and keep others out.

When not appearing in *Commentary,* that is the sort of thing that provokes neoconservatives to quote de Tocqueville on envy and Max Scheler on *ressentiment.*

In the midst of the neoconservatives' flap over Rawls, two points emerge where his work clearly joins issue with the defenders of meritocracy. First, it is inequality of condition, not equality, that must be justified, that sits, so to speak, in the defendant's seat. Or at least this is true once the foundations of the argument are constructed and allowed. The defenders of a "just meritocracy" are not absolutely forced to brook at this point, for they allege to possess a principle, namely *merit,* that can in fact justify inequalities. But clearly neoconservatives do not like the change in climate this starting point implies: it threatens the meritocracy by constantly putting it on the defense. To hold strictly to equality of opportunity as a value virtually assumes that inequality of condition results. A current condition of inequality may be due to the natural operation of equal opportunities in different ways. Or it may not—it may be due to blocked chances, inherited privilege, and so on. But at the start one doesn't really know and presumably would



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not be led to investigate whether the connection really exists unless the inequalities were egregious. For the stability of the meritocracy, the latter, "neutral" starting point is obviously preferable.

THE SECOND POINT is far more crucial. Are the differences between individuals that a meritocracy would reward to be ascribed to individual responsibility or not? Neoconservatism indicates they are. Neoconservatives use language like "exertions," "efforts," and "achievements" in describing these differences. When Christopher Jencks found that variations in income between individuals could not be highly attributable to differences in family background, schooling, IQ, or some *a priori* notion of competence, he called the residual factor explaining success "luck." Daniel Patrick Moynihan replied, why not call it "pluck"? These are all active terms implying personal responsibility and moral worth. Rawls, on the other hand, speaks of the individual differences that are differentially rewarded by a meritocracy as "natural assets," "endowments," even the "natural lottery"—passive terms implying arbitrariness and moral neutrality. The conception of justice he seeks would not nullify the "contingencies of social circumstance"—here the neoconservatives might agree, at least in theory—but also "the accidents of natural endowment."

Rawls describes, first, a "system of natural liberty" that would accept as just whatever distribution followed from a formal equality of opportunity in which legal barriers to talent are absent. He further describes a "liberal interpretion" of distributive justice that would not only require formal equality of opportunity but insist that class disadvantages should be mitigated so that the talented poor could in actuality take advantage of these open opportunities. But finally he writes:

> While the liberal conception seems clearly preferable to the system of natural liberty, intuitively it still appears defective. For one thing, even if it works to perfection in eliminating the influence of social contingencies, it still permits the distribution of wealth and income to be determined by the natural distribution of abilities and talents. Within the limits allowed by the background arrangements, distributive shares are decided by the outcome of the natural lottery; and this outcome is arbitrary from a moral perspective. There is no more reason to permit the distribution of income and wealth to be settled by the distribution of natural assets than by historical and social fortune. . . . The extent to which natural capacities develop and reach fruition is affected by all kinds of social conditions and class attitudes. Even the willingness to make an effort, to try, and so to be deserving in the ordinary sense is itself dependent upon happy family and social circumstances.

Rawls drives the point home later: "The assertion that a man deserves the superior character that enables him to make the effort to cultivate his abilities is equally problematic; for his character depends in large part upon fortunate family and social circumstances for which he can claim no credit."

This, says Frankel, is the "fundamental premise" of the new egaliatarianism. It may hold true in some thoroughly abstract and ultimate sense but it is irrelevant to the real problems of human justice:

> If we look at matters from a less remote perspective, the man of twenty, in possession of a superior character that enables him to cultivate his abilities, can usually be shown to have done *something* to produce this character. Has there been no hard work, inner discipline, lacerating struggle with his soul? Is it all the throw of the dice?

Frankel's concern, and it is an underlying theme of neoconservatism, is easily appreciated: "a theory of justice which treats the individual as not an active participant in the determination of his fate, and which is guided by the model of life as a lottery, is unlikely to strengthen people's sense of personal responsibility."

But an uncharacteristic false note in Frankel's language points to a problem: he writes of the twenty-year-old's "lacerating



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struggle with his soul," and this touch of romantic agony alerts us to the possibility that Frankel protests too much. There is little evidence to suggest that students passing from elite colleges to Harvard or Yale medical school have been lacerating their souls in struggle any more, and quite possibly less, than the inner-city youth who resists hustling on the street for an honest job at a gas station. Nor is it clear that the inner discipline required by MIT and Harvard Business School is any more than that required to fulfill one's duties as parent and provider while working on an assembly line or at a supermarket. Some individuals struggle and work mightily; other nurture their talents with all the ease of breathing. But it is not hard work, discipline, and lacerating struggles with one's soul that the meritocracy singles out and rewards—except where these happen to coincide with natural talent, economic demand, and other factors having little to do with individual *moral* merit.

Nor has Frankel adequately responded to the point Rawls makes, and which most people know from their everyday observation—that capacities for hard work and discipline, initiative and ambition, are often enough either natural traits or the outcome of favorable family circumstances and early experiences. There is something in the cosmic viewpoint of a "natural lottery" and the passive image of "endowment" rather than "achievement" to which Frankel rightly objects; but the conclusion obtains, not that we should deny the truth in one or another characterization, but that we simply remain unable to determine the admixture of natural gifts and personal responsibility that constitutes individual differences, and we must shape a social system in light of this unalterable limitation. In this regard, Rawls's "difference principle" appears to be a respectable solution.

At this point Bell and Frankel, though they are among the most careful of Rawls's neoconservative critics, misrepresent him slightly. Frankel indirectly suggests that Rawls holds that "it is morally wrong for a society to notice, approve, or reward outstanding gifts, particularly when the individuals who have these gifts have played some part in developing them." Bell cites Rawls's belief that his theory covers the considerations stated by others under a "principle of redress":

> This is the principle that undeserved inequalities call for redress; and since the inequalities of birth and natural endowment are undeserved, these inequalities are to be somehow compensated for. . . . **Society must give more attention to those with fewer native assets and to those born into less favorable social position.** . . . Greater resources might be spent on the education of the less rather than the more intelligent, at least over a certain time of life. . . .

But Bell does not cite the qualifications in Rawls's following paragraph:

> Now the principle of redress has not to my knowledge been proposed as the sole criterion of justice. . . . It is plausible . . . only as a prima facie principle, one that is to be weighed in the balance with others.

Furthermore,

> the difference principle is *not* of course the principle of redress. It does not require society to try to even out handicaps as if all were expected to compete on a fair basis in the same race. But the difference principle would allocate resources in education, say, so as to improve the long-term expectation of the least favored. *If this end is attained by giving more attention to the better endowed, it is permissible; otherwise* ***not.*** **[My emphasis.]**

In other words, it is not at all wrong for society to reward outstanding gifts, as long as such unequal rewards promise to work for the eventual benefit of the less fortunate. This does, as Rawls says and Bell correctly emphasizes, represent

> an agreement to regard the distribution of natural talents as a common asset and to share in the benefits of the distribution whatever it turns out to be. Those who have been favored by nature, whoever they are, may gain from their good fortune on terms that improve the situation of those who have lost out.

One may wish to qualify the single-minded stress on "nature" and "good fortune" but



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nevertheless find here a reasonable compromise that allows special treatment for special abilities and yet, in view of the impossibility of sorting out the effects of the "natural lottery" from those of personal responsibility, conditions such inequality on the benefit it does the least favored. Though Daniel Bell elaborates the difficulties of Rawls's position, his appeals for "a just meritocracy" finally seek justification in a very similar position:

> a university has to be a meritocracy if the resources of the society . . . are to be spent for *"mutual advantage,"* . . the principle of meritocracy should . . . obtain in business and government as well. One wants entrepreneurs and innovators who can expand the amount of productive wealth *for society*. . . . Nor is this in contradiction with the fairness principle. [My emphasis.]

In general, however, neoconservatism distrusts the Rawlsian compromise, prefering to encourage personal effort and responsibility by carrying on "as if" these were the essential elements of individual differences. This runs the risk of a new Calvinism in which the fact of success becomes itself the evidence that it was morally deserved. But the alternative, apparently, is intolerable to neoconservatism: that inequalities, first, bear the burden of being justified and, second, be justified by reference to their impact on the disadvantaged.

THERE IS A THIRD POINT at which the issue is joined between defenders of meritocracy and their critics. It was most elegantly stated by Michael Walzer in a response in this journal to Irving Kristol. Kristol had argued that (1) "human talents and abilities . . . distribute themselves along a bell-shaped curve"; (2) "in all modern bourgeois societies, the distribution of income is also along a bell-shaped curve"; and (3) "the political structure—the distribution of political power—follows along the same way." Kristol has some difficulty fitting the Soviet Union into this pattern, but no matter: as Walzer sums up the argument, "in the United States, nature is triumphant: we are perfectly bell-shaped."

Kristol, to be sure, is wrong about income distribution; but that is not Walzer's concern. He points to another flaw:

> It is a neat argument, but also a peculiar one, for there is no reason to think that "human talents and abilities" in fact distribute themselves along a *single* curve, although income necessarily does. Consider the range and variety of human capacities: intelligence, physical strength, agility and grace, artistic creativity, mechanical skill, leadership, endurance, memory, psychological insight, the capacity for hard work—even moral strength, sensitivity, the ability to express compassion. Let's assume that with respect to all these, most people (but different people in each case) cluster around the middle of whatever scale we can construct, with smaller numbers at the lower and higher ends. Which of these curves is actually echoed by the income bell? Which, if any, ought to be?

The problem, of course, is money. It, too, is distributed according to the curve of the talent for making it (considerably modified by inheritance and luck), and this, says Walzer, "might be morally plausible"—"People who are able to make money ought to make money, in the same way that people who are able to write books ought to write books. Every human talent should be developed and expressed." But money, alas, is not its own reward:

> In a capitalist world, money is the universal medium of exchange. . . . Political power, **celebrity, admiration, leisure, works of art,** baseball teams, legal advice, sexual pleasure, travel, education, medical care, rare books, sailboats—all these (and much more) are up for sale. The list is as endless as human desire and social invention. Now isn't it odd, and morally implausible and unsatisfying, that all these things should be distributed to people with a talent for making money? And even odder and more unsatisfying that they should be distributed (as they are) to people who have money, whether or not they made it, whether or not they possess any talent at all?

But Walzer is not simply campaigning against the rich:

> It would not be any better if we gave men money in direct proportion to their intelligence, their



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strength, or their moral rectitude. The resulting distributions would each, no doubt, reflect what Kristol calls "the tyranny of the bell-shaped curve," thought it is worth noticing again that the populations in the lower, middle, and upper regions of each graph would be radically different. But whether it was the smart, the strong, or the righteous who enjoyed all the things that money can buy, the oddity would remain: Why they? Why anybody? In fact, there is no single talent or combination of talents which plausibly entitles a man to every available good. . . . Nor need there be a single distribution of all social goods. For different goods might well be distributed differently. Nor again need all the distributions follow this or that talent curve, for in the sharing of some social goods, talent does not seem a relevant consideration at all.

In short, concludes Walzer, "What egalitarianism requires is that many bells should ring. Different goods should be distributed to different people for different reasons." The neoconservatives assume that society must be stratified; that, after all, is the "-cracy" (*-kratia,* rule, power) in "meritocracy." Indeed Rawls resembles them insofar as he largely casts his theory in terms of a single axis of advantage/disadvantage. Against such views, Walzer is maintaining that if there be stratification, there should not be one but many. And one way of achieving such a situation is to limit the power of wealth and the sphere of money in society. There are many ways in which this could be done, of which but one is "a radical redistribution of wealth." The power of money in areas like medical care, the legal system, and politics must be restricted; but "so long as money is convertible outside its sphere, it must be widely and more or less equally held so as to minimize its distorting effects upon legitimate distributive processes." Once again, Daniel Bell accedes to much of Walzer's argument; he had already written that in his version of the meritocracy "the question of justice arises when those at the top [Walzer would question the necessity of *the* top] can convert their argument positions into large, discrepant material and social advantages over others." But again neoconservativism in general has ignored the point. The version of meritocracy it defends promises the fullest range of income, power, and privilege for those deemed talented, disciplined, and full of "pluck."

## Equality versus Legitimacy

EQUALITY threatens liberty. Equality threatens meritocracy. And, finally, equality threatens American governmental power itself. Not only liberty but "authority" is declining, writes Nisbet, and equality is the culprit. Equality, writes Kristol, is only the latest expression of that subversive discontent with which intellectuals have gnawed at the legitimacy of government for two millennia. Central to the "democratic surge," which is rendering the United States ungovernable, according to Samuel P. Huntington's report for the Trilateral Commission, is "a reassertion of the primacy of equality." Perhaps Aaron Wildavsky states the neoconservative fear most clearly: America is being attacked at its most vulnerable point, its long-standing promise of equality.

Despite the acknowledged ability of America to honor equality in principle while denying it in practice, the force of the ideal strikes neoconservatives as almost irresistible—it is usually necessary (and apparently sufficient) to quote de Tocqueville on this point. But the force is simultaneously assumed to be more or less irrational—"passion," "obsession," and "impulse" come naturally to neoconservatives as descriptions of the egalitarian tendency. Equality propels the populace to what it cannot practicably do. Envy and *ressentiment* are the hidden fuels of egalitarianism, although less so for the ordinary man than for the ambitious and factious "new class." But what appears worst of all is the effect of equality upon those in power and authority: it riddles them with guilt, it saps their determination to defend their patrimony. "There was too much guilt engendered by the rhetoric of equality," Wildavsky concludes, to permit resistance to the obviously foodhardly Great Society programs. "I would suggest that a liberal



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culture does indeed succeed in breeding aggression out of its privileged classes," pronounced Moynihan to Harvard alumni in 1976, "and that after a period in which this enriches the culture, it begins to deplete it."

Internationally, where the degree of inequality is so much greater and so much more visible, it follows that the situation is still more perilous. The United States and Western multinational corporations are faced with Third World claims drawing on our own rhetoric of equality. In neoconservatism's estimate, the result has been nothing less than "appeasement" on our part. In response, P. T. Bauer, a British economist, assured *Commentary*'s readers that twinges of guilt in regard to Third World poverty were groundless and—certainly for the sake of the impoverished as well as of ourselves—to be resisted. The acceptance of the allegation that the West was responsible for this poverty had provoked such guilt as to have "paralyzed Western diplomacy, both toward the Soviet bloc and toward the Third World, where the West has abased itself before groups of countries which have negligible resources and no real power." (Of course, Bauer held it a "delusion" to believe that his arguments against Western responsibility "could substantially influence the attitudes of those afflicted by a feeling of guilt. . . . Argument and evidence will not affect conduct and measures which are rooted in emotion. . . .")

Robert Moss, a British journalist favored by *Commentary,* made much the same argument in the *New York Times Magazine* under the title "Let's Look Out for No. 1!" On every side, complained Moss, "we are hectored" by those who "appeal to the guilty conscience of the well-fed with images of starving millions" and "lecture us on our moral obligation for the supposed crimes of colonialism and capitalist exploitation." Moss admits that this hectoring has not thus far accomplished very much, but "in the long run, can we ignore either the moral appeal or the threat?" He hopes so.

Bauer and Moss were enlarging the front opened up by Daniel Moynihan. Starting in 1975, Moynihan argued that the United States was besieged internationally by a new form of redistributionist socialism; in concentrating on the cruder dangers of Communism, we had failed to develop the ideological antibodies to this subtler threat. Later he merged the Communist and socialist challenge, and evoked "the superior capacity of Marxist argument to induce guilt." Liberal society was "torn by doubts" about its possibly insufficient generosity. Moynihan quoted Yeats, "Come fix upon me that accusing eye. I thirst for accusation," which also happened to be the lines quoted at the head of Bauer's article.

THERE IS yet another reason why neoconservatism views equality as dangerous. Equality, in this view, is an aspiration that can never be assuaged. For Kristol, Nisbet, and to some degree Frankel, equality is but a surrogate issue for intellectuals, whose real aim is to solve the problem of evil, compensate for the loss of religious meaning, or destroy bourgeois society and extend their power through the state. For neoconservatives generally, equality is relentless in its demands because, in Nathan Glazer's words, "as it proceeds we become ever more sensitive to smaller and smaller degrees of inequality" as well as to new kinds of inequality. "The slogan of 'equality' in any society at all will continue to arouse passions and lead to discontent."

Daniel Bell agrees:

> As disparities have decreased . . . the expectations of equality have increased even faster, and people now make more invidious comparisons . . . a phenomenon now commonly known as the "Tocqueville effect." The revolution of rising expectations is also the revolution of rising *ressentiment*. . . . The fascinating sociological puzzle is why as inequality decreases, *ressentiment* increases.

Equality "in the highly limited sense Jefferson intended" is one thing, writes Nisbet,

> It is an entirely different matter when equality of economic and social condition becomes a god for the intellectual or politician. Expectations cannot do other than increase exponentially.



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> Envy . . . quickly takes command, and the lust for power with which to allay every fresh discontent, to assuage every social pain, and to gratify every fresh expectation soon becomes boundless.

It is not surprising that for Nisbet *equality* and *redistribution* are "code words" for revolution.

Among other neoconservatives perhaps only Kristol would go so far. Most view equality as a serious threat, something this side of revolution. It is an attractive and, in America, honored ideal, all the more dangerous for that very reason. It must be kept in a tight harness. Equality before the law, forbidding rich and poor alike to steal bread and sleep under bridges, and equality of opportunity, offering every individual the equal chance at becoming unequal, must be sharply distinguished from equality of condition. The expections of citizens must be curtailed and the confidence of elites maintained—or government will be overwhelmed and implode into tyranny. On both counts the moral claims of egalitarianism are baneful.

Neoconservatism declares that it favors the relief of poverty, international as well as domestic. Poverty, after all, is destabilizing as well as inherently degrading. With liberal interest in equality focused on problems of poverty, it would seem that, practically, a large field exists for common action; in some instances, like welfare reform, this may be the case. But neoconservatism's desire to abolish poverty is carefully hedged, and not to be confused with achieving equality. "I have no objection to a properly conducted assault on poverty," says Nisbet, and almost all neoconservatives say something similar. "But why seek to bring it within the rhetoric of the new equality?"

The hedges are several.

To begin with, there is little to be done about much poverty—about the underclass at home and a good part of the developing world. Furthermore, neoconservatives (a) emphasize data leading to the conclusion that poverty in the United States or overseas is being steadily abolished, and (b) simultaneously stress the costs, human as well as economic, of doing this through planned redistribution. *"We have abolished poverty in New York City!"* insists Kristol. (His emphasis.) But isn't this the false triumph of "notoriously compassionate" politicians? Hasn't New York's high level of welfare benefits actually made things worse? "A visitor to the Greek islands, or to an Italian village, is impressed first of all not by the poverty of the people there—which is acute—but by their cheerfulness, their determination to make the best of things, their extraordinary ability to do so." For New York's poor, on the other hand, "it is not at all implausible to think that, had we been less generous in our welfare programs, these people would now be better off." In sum, because we must abide what cannot be helped and because government intervention is often worse than letting the economy take its course, it is all the more important that efforts to relieve poverty do not establish principles or practices likely to get out of hand. Antipoverty measures must be carefully calculated so as not to tax our resources nor breed dissatisfaction nor hatch political turmoil. By elimination, what neoconservatism would welcome as a *"properly conducted* assault on poverty" appears to be an effort that is tightly managed from the top down, by an elite acting out of charity and something akin to *noblesse oblige.*

How justified are neoconservative fears of equality? In the short run, they seem vastly inflated. It is a special kind of freedom that appears threatened by equality, and it is less equality than the modern web of interdependence that expands government action and regulation. Just as a considerable degree of equality—of condition as well as of opportunity—is the prerequisite for a flourishing liberty, it is also a prerequisite for the assumption of personal responsibility and the general recognition and reward of individual gifts. Equality may challenge the legitimacy of American institutions—but that largely depends on the capacity of those institutions to respond to the challenge.

Neoconservatives are pessimistic and resis-



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tant on the latter point, and that is why their fears have a significance for the long run. They sense a loss of room for maneuvering, a constriction of opportunities, a diminishment of flexibility, that will render even moderate abatements of inequality possible only on condition that we risk a major alteration in the social and economic structures. If the economic growth following World War II turns out to be the exception, and the straitened circumstance of recent years the rule, then the neoconservatives may well be right. We will be able to maintain the status quo only by keeping a tight cap on the claims of equality.

Why do neoconservatives expend so much energy attacking socialism as the embodiment of equality and state control, when in fact socialism is profoundly ambivalent on both these points ("from each according to his abilities, to each according to his needs" is, in many respects, an *in*egalitarian formula), at least as much so as welfare-state liberalism? Though socialism is hardly a short-run contender for power in America, are neoconservatives, in effect, admitting that our ability to tinker with the present system has reached its limits, and that the real choice is between a massive restructuring of society or the renunciation of egalitarianism altogether?

For those who would retain their commitment to greater equality, and even conceive of forms of socialism that respect and enhance liberty, responsibility, and individual merit, the neoconservative critique of egalitarianism nonetheless can be useful. There is a rote return to the existence of poverty, the concentration of wealth in America, the vast disparity between American and Third World consumption of food, energy, and nonrenewable materials, as though these inequalities, sometimes disputed, sometimes shockingly clear, of themselves resolved a host of economic, political, legal, and diplomatic issues. There does exist a vulgar materialism among reformers that is too willing to reduce all questions to a statistical sharing of the pie, that does throw up the facts of material inequalities as a screen before the murkier and perhaps more trying questions of culture and spirit. It is possible to take to heart the neoconservative warning that indignation about inequality, as distinguished from stark poverty, may be a deflection from other issues, without accepting the implications, typically reductionist, that this is always the case, that the problems of inequality would no longer be posed once these other issues were openly confronted, and that the groping of egalitarians with more ultimate issues of social meaning or universal justice are immature or unworthy. The neoconservative attitude toward inequality and "merit" is even more vulnerable to charges of self-interest and no less concerned about finding justification for an order of things they feel will always be unequal and hierarchical.

Of neoconservative fears about equality, it can also be said what John Stuart Mill wrote of de Tocqueville. Mill, of course, was a great admirer of *Democracy in America*; but reviewing de Tocqueville's volumes long before they had become, as they have for neoconservatism, a kind of sacred scripture, he offered a major criticism. De Tocqueville had "bound up in one abstract idea the whole of the tendencies of modern commercial society" and given the impression of ascribing "to equality of conditions" the range of effects—mobility, "want of deference," shallow culture, disregard of tradition, "habitual dissatisfaction," "the decay of authority," and "diminution of respect for traditional opinons"—that rather arise from modern economic progress itself. According to Mill, "Nearly all those moral and social influences" that de Tocqueville's second volume found operating in democratic, egalitarian America "are shown to be in full operation in aristocratic England." The reason was the spirit of commerce and industry as carried by the English middle class; it was, though Mill did not use the term, the spirit of burgeoning capitalism. With few exceptions, the neoconservatives follow de Tocqueville's lead: they focus on the "passion for equality" and ascribe to it a host of dangers that a more comprehensive examination might find rooted in the very "tendencies of commercial civilization." □



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Gus Tyler

# Mythologies of a Simon-Pure Conservative

A not-so-simple Simon says that now is *A Time for Truth*, the "truth" as a present-day conservative sees it. In this facile, free-swinging book (published by McGraw-Hill in 1978), William Simon, former secretary of the treasury under Nixon and Ford, lets loose a blast that spares no one, including his two famous employers. He thinks it's time for true libertarians to speak out against a modern liberalism that has infected both the Democratic and Republican parties. His vigorous little volume deserves the serious attention of liberals and radicals, less for what it is in itself than for what it represents as a popular summary of American conservatism today.

The natural tendency of liberals and radicals will be to dismiss this book as trash, the detritus of a political Neanderthal, a man without compassion. But invective does not bother him: he wears the pejorative labels as badges of honor. He hands out his own contumely: liberals are "intellectual basket cases," Leonard Silk of the *New York Times* is charged with "ideological malice," and top people in the press are indicted for their "sheer ignorance."

But after all the mud is slung, Simon makes a valid point when he writes: "I was constantly shocked by many journalists' failure to understand that I was not simply a malignant symbol to be hissed at in ritual hate, but a representative of a serious economic and constitutional position." He might have added that he represents a conservative movement that, at the moment, has seized both the intellectual and legislative initiative in America.

To counter Simon's case, the American left will have to reformulate its ideas so that they seem reasonable and relevant to a generation that sees the New Deal as a dead past and dreams of a debureaucratized society as an alluring future.

Simon appeals to our love for liberty, the natural yearning of all Americans and especially the young: "Political freedom means only one thing: freedom *from* the state." He is unabashedly for laissez faire: the New Deal was bad, and its extensions under all subsequent presidents—Republicans and Democrats—worse. But the worst is still to come as our liberal concepts push the state toward socialism and, inevitably, communism. To Simon, the alternative is clear: free enterprise (capitalism) or dictatorship (communism). His choice is freedom.

Simon's intellectual gurus are Adam Smith and the Founding Fathers, coeval revolutionaries whom he enrolls in his conservative crusade with little understanding that these spokesmen for an earlier "liberalism" have far more in common with the present-day left than the modern right. It is true that both Smith and the Fathers were antistatist, but at a time when the state was vastly different from what it is today. Smith warned against a state in which monopolies were handed out by royalty; the Fathers warned against a state where a monarch ruled the colonies. Both sought liberation from the caprices of the Crown.



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In the two centuries since, both government and economy have changed. The state has been democratized so that the people now have access to powers that were once exclusively in the hands of royalty. And the economy has seen a bourgeoisie rise to power. As a consequence, liberalism has changed. For Adam Smith liberation meant freedom from the state; for modern liberalism, the state is an instrument to curb the caprices of the capitalist or—in its more radical form—to get rid of the capitalist altogether.

Although the old and new liberalism appear to be opposites, they have a common parentage: opposition to tyranny, whether economic or political. Both liberalisms are democratic in their ethic, demanding a voice for the people in the economy as well as in government.

When Smith set out to liberate the nascent bourgeoisie from royal dictates, he appealed—in the revolutionary tradition—to a higher authority: a mystical force he called the "invisible hand," which was supposed to assure economic equity. But even as he did so, he was fearful that his newly liberated entrepreneurs would turn into economic royalists, forming power blocs to influence, inhibit, even invalidate the "invisible hand," to enable the new masters to grow rich at the expense of both employees and consumers.

Discussing the "combines" of employers vis-à-vis their employees, Smith wrote:

> We rarely hear of the combination of masters [employers], though frequently of those of workmen. But whoever imagines, upon this account, that masters rarely combine is as ignorant of the world as of the subject. Masters are always and everywhere in a sort of tacit, but constant and uniform combination, not to raise the wages above their actual rate. . . . Masters too sometimes enter into particular combinations to sink the wages of labor even below this rate.

Smith feared similar capitalist combinations against the consumer. "People of the same trade," he wrote, "seldom meet together, even for merriment and diversion, but the conversation ends in a conspiracy against the public, or in some contrivance to raise prices."

Years before Karl Marx said that the state was the "executive committee of the ruling class," Smith pointed out that employers were always able to use government as their tool. He wrote:

> Whenever the legislature attempts to regulate the differences between masters and their workmen, its counsellors are always the masters. . . . When masters combine together in order to reduce the wages of their workmen, they commonly enter into a private bond or agreement, not to give more than a certain wage under a certain penalty. Were the workmen to enter into a contrary combination of the same kind, not to accept of a certain wage under a certain penalty, the law would punish them very severely.

As a practicing moral philosopher, Adam Smith understood the impulse of businessmen to "conspire" against both workers and consumers and use the state to further the conspiracy. Because this understanding is missing from the calculations of Simon and modern conservatives, their analysis of the "free enterprise" system is fatally flawed. They simply fail to acknowledge the "tyranny" inherent in concentrated economic power that is "free" to pursue its conspiratorial impulses.

Simon's interpretation of the Founding Fathers is no more sophisticated than his reading of Adam Smith. To begin with, he fuses the Declaration of Independence with the U.S. Constitution, as if they were a single document conceived in the same spirit. Actually, the two great statements are so unlike each other that some historians have seriously suggested that while the Declaration was the mark of a revolution, the Constitution was the mark of a counterrevolution. The former document eliminated an old government; the latter established a new government. If "freedom from the state" had been the Fathers' guiding definition of "freedom," they could have done very nicely with the Articles of Confederation, that is, without a



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federal government empowered to override the will of the separate states and their citizens.

Just as the Declaration was a demand for disorder, so the Constitution was a design for order. Colonial leaders had had a bellyful of states quarreling with states, of economic wars, of crazy currencies; they were also quite fearful that the revolutionary spirit might run too long, as in Shay's Rebellion and the Whiskey Insurrection. So the Fathers reached out for a "more perfect union" that would "regulate commerce" and maintain "domestic tranquillity" and do all those other things to make certain everybody understood they did not have an inalienable "freedom from the state." Indeed, the people who were called upon to ratify this threatening document refused to do so unless a Bill of Rights was attached to the main body to make certain that the citizenry did not, in losing its "freedom from the state," lose all its other freedoms as well.

For the Fathers, a strong central government was necessary to ward off both anarchy and tyranny. In their classic view, they saw societies torn by conflict—especially economic conflict. Unless there was a government that mediated among these warring elements, the social fabric would be torn apart, and out of the disorder would arise a dictator. Hence, the Fathers did not—quite contrary to a central thesis of Simon and the neoconservatives—seek to sever politics from economics. Quite the reverse: they saw the "regulation" of these "interfering [economic] interests" as the "principal task of government."

This basic tenet—the central economic character of politics—is nowhere explained more clearly and candidly than by James Madison, the true architect of the Constitution, in his *Federalist Paper No. 10:*

> The most common and durable source of factions has been the various and unequal distribution of property. Those who hold and those who are without property have ever formed distinct interests in society. Those who are creditors and those who are debtors fall under a like discrimination. A landed interest, a manufacturing interest, a mercantile interest, a moneyed interest, with many lesser interests grow up of necessity in civilized nations, and divide them into different classes actuated by different sentiments and views. *The regulation of these various and interfering interests forms the principal task of modern legislation, and involves the spirit of party and faction in the necessary and ordinary operations of the government.*

Madison's pre-Marxian preachment about the economic essence of politics found confirmation in Washington's first term. In a brief four years, laws were passed to impose protective tariffs, to fund a national bank that would be run by private bankers backed heavily with public money. Worthless "continentals," issued by the colonies to finance the war and picked up by speculators for pennies, were redeemed at full face value by the new federal government.

By such acts, record the respected historians who wrote *The National Experience* (John M. Blum, et al.), the federal government "created a group of wealthy investors or, to use a less attractive word, profiteers." The genius behind these carefully conceived moves to use the new government in order to enrich the rich was Alexander Hamilton, of course. His next move was to conceptualize his program in his famous *Report on Manufactures* that John Garraty characterizes in *The American Nation* as "a bold call for economic planning."

The danger that the lords of industry would become a new "aristocracy" was voiced by Tocqueville, another of Simon's favorites whom he obviously has not read in depth. "I am of the opinion," wrote the French observer in 1835, "that the manufacturing aristocracy which is growing up under our eyes is one of the harshest that ever existed in the world. . . . If ever a permanent inequality of conditions and aristocracy again penetrate into the world, it may be predicted that this is the gate by which they will enter." Tocqueville's fears soon became fact.

In the next century, businessmen used the state in every way they could to possess,



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plunder, and profit from this land and its resources, and to exploit working men and women. They asked for giveaways; they petitioned for legal monopolies; they demanded suppression of strikes; they landed fat contracts; they won government subsidies; they sought all this and they got it. Frederick Townsend Martin, a New York banker, said it plainly about a century ago when describing his associates' view of politics:

> We are the rich [he proclaimed]. We own America; we got it, God knows how, but we intend to keep it if we can by throwing all the tremendous weight of our support, our influence, our money, our political connections, our purchased senators, our hungry congressmen, our public-speaking demagogues into the scale against any legislature, any political platform, any presidential campaign that threatens our estate.

Amid this plutocracy—government by the rich and for the rich—there stirred the spirit of American democracy, the root of our liberalism and radicalism. It expressed itself most forcibly in the political movements of farmers, for whom the state was the only effective instrument for curbing the rapacity of the railroads and banks. The tiller of the soil—the traditional free enterpriser in America—demanded government regulation of callous corporations.

Farmers, however, were only the first. Consumers wanted the state to check up on the food and drugs that were being peddled to the people; investors wanted an agency to oversee the stock market to prevent the bilking of the ordinary stockholder; unions wanted protection against yellow-dog contracts, injunctions, spies, company goons, and sheriffs; workers wanted safeguards against industrial poisons; minorities and women wanted defenses against discrimination; environmentalists wanted safeguards against pollution and depletion of natural resources; utility users wanted controls over prices. Over the years, a vast body of legislation has been enacted and dozens of agencies were established to limit the ability of the powerful to use their private economic power in order to exploit the weak.

Not all the regulatory agencies have lived up to their expectations. Indeed, many have been taken over by those who were supposed to be regulated. When the Interstate Commerce Commission first was set up, President Cleveland's Attorney General Richard Olney advised a railroad president not to lose his cool:

> The Commission, as its functions have now been limited by the courts, is, or can be made, of great use to the railroads. It satisfies the popular clamor for a government supervision of railroads, at the same time that such supervision is almost entirely nominal. Further, the older such a commission gets to be the more inclined it will be found to take the business and railroad view of things. It thus becomes a sort of barrier between the railroad corporations and the people and a sort of protection against hasty or crude legislation hostile to railroad interests. The part of wisdom is not to destroy the Commission but to use it.

In 1974, the chairman of the Federal Trade Commission under Nixon and Ford, Lewis B. Engman, told the Financial Analysts Federation:

> Most regulated industries have become Federal protectorates, living in a world of cost-plus, safely protected from the ugly specters of competition, efficiency and innovation. Our airlines, our truckers, our railroads, our electronic media and countless others are living on the dole. We get irate about welfare fraud, but our complex systems of hidden regulatory subsidies make welfare look like petty larceny.

The history of corporate regulation testifies to the agility of business at seducing the public by seducing its chaperones. This fact does not altogether escape Simon's attention. "Throughout the last century," he writes, "the attachment of businessmen to free enterprise has weakened dramatically as they discovered they could demand and receive short-term advantage from the state." He notes the trend of "businessmen who have run to government in search of regulatory favors, protective tariffs, and subsidies, as well as those monopolistic powers which only the state can grant." Milton Friedman, oft-quoted by Simon, adds: "There is hardly a major



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monopoly in the United States that doesn't derive its power from government grants."

This notion that it is *government*—especially recent administrations, and not the private sector—that is the cause of monopoly is, of course, a handy invention of the modern conservatives who want to return to a laissez faire that never existed. More than two centuries ago, Adam Smith divined the inherent compulsion of businessmen to "conspire" with or without governmental aid.

In this country, men of money were out there "cornering the market" long before "regulation." Our present oligopolies in aluminum, autos, chemicals, steel, agribusiness, oil do not depend on "regulation" for their existence. Indeed, the only serious check on corporate monopoly and antisocial practices are the regulatory agencies, inadequate as they are. (As I write, the federal government is suing oil companies for a billion-dollar overcharge.)

One of the reasons, perhaps, that Simon sees monopoly arising only on a *governmental* foundation is that he does not see those monopolies he does not choose to see. For instance, he insists that those who allege there is a monopoly in the oil industry have "no rational base. As of 1976, there were 8,000 different oil and gas producers, 130 refiners and 16,000 wholesale marketers—to say nothing of 186,000 service stations, the vast majority of which were run by independent businessmen. And this was a monopoly?"

Simon's reference to the thousands of service stations as proof of a nonmonopoly is the equivalent of arguing that there is no monopoly in aluminum production in the United States because hundreds of thousands of stores sell aluminum pots and pans. In his bland references to the thousands of producers and refiners, he conveniently neglects to note *how much* of the market is controlled by *how many*. If he had put this elementary question, he would have discovered that "nearly all (93.6%) of the nation's reserves of crude oil are held by *twenty* major oil companies" and that "nearly two-thirds of the reserves are held by the eight largest firms." The same top eight are responsible for 55 percent of retail sales and they control almost 60 percent of refining capacity. (All this and more is spelled out in John M. Blair's *The Control of Oil*.) In sum, less than one quarter of 1 percent of the companies hold just about all the crude reserves, and less than 0.04 percent control more than half the retail sales, and about 5 percent control about 60 percent of refining.

This is monopoly. But it is a monopoly that Simon refuses to see because he wants the oil industry totally deregulated to let the princes of petroleum, whom Simon depicts as myriad competing companies, "rip with the profit motive as a guide."

Simon's myth that the oil industry is competitive is reinforced by a companion myth that if profits rise for producers "they will pay for their own expansion out of their own profits" and will, thereby, provide a greater supply of whatever it is they produce. This assumes, for instance, that when an oil company makes a big profit, it will reinvest that handsome return in producing and refining oil.

This notion was brilliantly popularized by Mobil Oil in a series of sophisticated ads in which the company argued that higher prices would (could) mean lower prices as enlarged profits allowed for greater supply through exploration and expansion. But, in the midst of this campaign, it became public knowledge that Mobil was about to allocate a big chunk of its profits to acquiring a huge chain store. As Senator Henry Jackson put it: "They dug and dug and they finally struck Montgomery Ward." Unabashed, Mobil continued to dig: in 1978, the "oil" company purchased all the outstanding shares of the W. F. Hall Printing Company, for the sum of $50.5 million.

The truth is that "oil" companies are not just oil companies, not even just energy companies; they are "everything" companies, "conglomerates" who use their funds to go into any area of the economy, here and abroad, that promises the best return. When they find that putting too much oil or gas on the market at any one time threatens profits,



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they place their funds in companies totally unrelated to petroleum—such as printing houses, bra factories, kosher-food empires, or chain stores.

But even if Mobil—or any other corporation—reinvested its profits exclusively in oil, there would still be no reason to encourage corporate superprofits to finance expansion. Capital formation does not depend solely, nor mainly, on accumulation of profits in corporate coffers. Capital can be—and is—generated primarily outside corporations, mainly from workers.

In his provocative book *The Unseen Revolution*, Peter Drucker writes: "Through their pension funds employees of American business today own at least 25 percent of its equity capital." Inclusion of "pension funds of the public employees, and of school and college teachers" would show a decisive one-third of the equity capital derived from worker funds. The projection is that by 1985, more than one-half the equity and "a major portion—perhaps 40 percent—of the debt capital (bonds, debentures, and notes) of the American economy" will be held by worker funds.

From these data, Drucker concludes that America is a socialist society, a finding that would be more valid if workers or their representatives actually *controlled* their "funds." But, whether or not worker funding of corporations is "socialism," there is no doubt that such "proletarian financing" is the largest source of capital formation in modern American capitalism.

In fact, Drucker understates the degree to which capital formation is based on worker income. Pension funds are only one source; union-industry health and welfare funds are another; treasury funds of unions are still another. Savings that workers put in banks or premiums that workers pay to insurance companies are also massive reservoirs of capital formation, as are investments in mutual funds or even in the open market by workers.

Despite this clear evidence that capital formation depends very heavily—indeed, primarily—on the wages and fringes of workers, the myth persists that high corporate profits are the *sine qua non* of economic growth. Clearly, the fiction is one of those fabrications invented by corporate mandarins who wish to justify lower wages, higher prices, more tax loopholes for the wealthy, and continuing concentration of income and wealth at the top.

This malignant myth not only serves to enrich the already rich at everyone else's expense but also creates a top-heavy economy that must eventually topple. No matter how much capital the supercapitalists may have in their hands, they will not invest that money unless there is a market for their commodity or service. And if the money is unduly concentrated at the top, the lesser who make up 80 percent of the consumers do not have the buying power to maintain a mass market.

What Simon and the neoconservatives have done is to resurrect the discredited "trickle down" theory, to give it a new life by equating corporate profits with capital formation and with national prosperity. Through rote, rhetoric, and seemingly sophisticated rationales, they have turned a fiction into a fact to make it a widely accepted premise of national policy. Proposals to reduce or eliminate taxes on capital gains, to extend tax privileges to corporations and to large estates, to deregulate the price of oil and gas, to up the profits of public utilities—all these moves to concentrate income and wealth in the hands of an elite are explained as necessary efforts to speed capital formation, to enrich everyone by enriching the rich.

The ultimate impact of the capital formation caper as conceived and carried through by corporate America is redistributional—moving money to the top. Simon—like all conservatives—is, of course, opposed to the use of government for redistributional purposes. The "redistribution" to which he objects, however, is not the upward movement of money to those at the top but the downward movement of funds to those



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below. He is opposed to the "welfare state" and its practice of "chopping down those who produce wealth and the transfer of that wealth from those who have earned it to those who have not." He is opposed to taking money from the "productive" classes and giving it to the "nonproductive."

Now just who are these "nonproductive" classes, according to Simon? They are primarily those who are drawing unemployment insurance or social security payments. "Most of the money," says Simon, "goes to the middle class, which often has other pension systems as well, and to richer people, who do not need it." Hence, Simon is opposed to this transfer of funds from the "productive" to the "nonproductive."

He is not opposed to charity for the truly needy. He feels that the $8.3 billion given to those on "welfare" is a negligible sum that, despite mishandling, is justifiable. He says the same about the $25 billion given to the blind, crippled, and handicapped. But what he really objects to is that "most federal dollars" allocated to social programs "are benefiting the middle class."

That Simon should view jobless and retired workers as members of an "unproductive" middle class is rather a shocker. By law, people are not entitled to draw jobless or social security benefits unless they have earned—literally, earned—that right by having proven their productive worth in the society. All beneficiaries (or their dependents) must have been employed personally. Directly or indirectly, working people contribute to the unemployment and social security funds. When the vagaries of the economy or the relentless advance of age push these "middle-class" people out of the job market, they collect benefits from a fund to which they have contributed.

Viewed technically, unemployment insurance and social security are "transfer" payments, since the money is transferred by the government to recipients out of publicly held funds. But viewed economically or ethically, these benefits are not transfer payments at all: workers are collecting from funds built up by worker contributions. (Even employer contributions can be seen as coming from workers: monopoly industries pass on the cost to consumers, most of whom are workers; competitive industries take the contributions out of the worker's hide.)

Only in one narrow sense is Simon correct. Reserves are not great enough in either the unemployment or social security funds to carry all present beneficiaries without the presently employed making their steady contributions. To a degree, the present working generation carries its temporarily unemployed comrades and its fathers and grandfathers. But no civilization worth the name allows its momentarily jobless or its older folk to perish because they are not making an immediate contribution to the national economy. In one form or another—by personal support, by charity, or by institution—the strong help the weak, especially when they come from the same family. In a compassionate democracy, unemployment insurance and social security are decent and dignified ways whereby the members of the working-class family—call them "middle-class" if you must—care for other members of their family without putting brother or sister, parents or grandparents to the shame of a means test.

When Simon and the conservative clan insist that the "nonproductive" should not be living on the labors of the "productive," however, they are making a point that is both economically and ethically valid. What incentive is there for a person to produce if the idle inherit the product? What right does the slothful have to appropriate the property of those who labor in the sweat of their brow? The real question is: *who are the nonproductive classes*?

As a young street-corner agitator, my favorite example of economic and social injustice was built around the death of a millionaire nonproducer, Thomas Fortune Ryan. When he died, his estate was contested. While the case was in court, Ryan's fortune grew and grew and grew as his body was moldering in the grave. The departed soul



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continued to accumulate riches drawn from the labors of hard-working people of brain and brawn.

What was true of Ryan then is true of capitalists today: they were and are parasites. Government agencies make the distinction clear when they list wages and salaries as "earned" income and list money drawn from clipping coupons or selling shares as "unearned" income. The former produce a product or render a service; the latter live on the produce of the former.

Aristotle insisted that men who derived income from "interest" were not adding to the world's stock of goods but were practicing a "mode by which men gain from one another." Thus in *Politics*, he wrote:

> The most hated sort [of ways to gather wealth], and with the greatest reason, is usury, which makes a gain out of money itself, and not from the natural object of it. For money was intended to be used in exchange, but not to increase at interest. And this term *interest*, which means the birth of money from money, is applied to the breeding of money because the offspring resembles the parent. Wherefore of all modes of getting wealth this is the most unnatural.

Here Aristotle was restating the Biblical injunction: "Thou shalt not lend upon usury to thy brother; usury of money, usury of victuals, usury of anything that is lent upon usury." Here the word "usury" did not mean exorbitant charges; it meant any charge; and the word "brother" meant any member of the tribe. This is made clear by the subsequent passage that states that "unto a stranger thou mayest lend upon usury." The early Christians—with their concept of universal brotherhood—outlawed usury totally.

By the standards of Aristotle, Deuteronomy, or St. Jerome, the modern capitalist is a usurer, practicing a forbidden trade, since the word "capitalist" refers to someone who makes "capital" available, in the form of money and credit (financiers) or in the form of a plant with equipment (employers). The capitalist is paid for the wealth that he owns and not for any work he does.

Adam Smith had a relevant word on this subject, too. "Labour," he writes in *The Wealth of Nations*, "is the real measure of the exchangeable value of all commodities." From this dictum, Marx drew his revolutionary conclusion: if labor is the source of all value, then all value should go to labor.

But the Marxian conclusion was, of course, a proletarian precursor of Simon's tenet that it is wrong for the nonproductive to live on the back of the productive. The contrary conclusions of Marx and Simon are drawn from contrary definitions: to Simon, the nonproductive class is made up mainly of unemployed and retired workers; to Marx it is made up mainly of capitalists.

As a former secretary of the treasury, Simon could submit truly dramatic instances of how the nonproductive elite in our land lives at the expense of the rest of the nation. Estate taxes for instance are rigged for the rich: stocks held until death are not taxed until they are sold and then they are taxed only on the gains realized between the time of inheritance and the time of sale. This sly stratagem costs Uncle Sam some $20 billion a year, about three times the cost of aid to families of dependent children (AFDC). That $20 billion is a transfer payment from the American people to nonproducers, whose only genius is their ability to outlive their fathers or grandfathers.

Simon could also note the single largest expenditure of the federal government that goes under the almost self-contradictory rubric of "tax expenditures." These are the loopholes, preferences, and exemptions made available to people of great income to allow them to escape their proper share of contribution to the national treasury. These "tax expenditures"—so-called because they are truly expenditures out of the public coffers, although they are not officially listed as such in the budget—run to more than $100 billion a year. They represent a hidden "transfer" payment from the working classes—"middle class" to Simon—to the people who live on "unearned income."



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All these ways of subsidizing the rich with billions from the people's treasury contribute, of course, to budget deficits. But Simon and the conservatives prefer to ignore the "tax expenditures" for the rich. Instead, they deplore the expenditures for unemployment insurance and for social security. Actually, if Uncle Sam were to close the loopholes for the affluent we could balance the budget, could ease the tax on working people, and still have enough left over to do whatever has to be done. Indeed, such a strategy could also bring in additional revenue to the government by enlarging sales and production through expanded private and public buying. Conservatives, however, would consider such a move to be antisocial since they believe that the whole system would come to a halt if the rich could not continue to multiply their riches. Hence, all gifts from Uncle Sam to the "investing" class are good; and any payment to the working class—even if it comes out of funds contributed by the working class—is bad.

> We see the tax burden growing steadily to finance the redistribution process [says Simon]. We see an abyss of government debt piled on debt. We see a commitment to a vast network of lifelong pensions to government employees and others in the middle-class populace. We see something eerily similar to the fiscal pattern of New York City.

To clinch his point on this, Simon quotes himself from a statement he submitted to the Senate Committee on the Budget in 1976: "Deficits accumulate over time," he notes ominously. "Total Federal debt has increased from $329.5 billion at the end of fiscal year 1976—a rise of 92 percent in only ten years' time." He concludes his two chapters on the parallel between New York City and the nation with the prognosis that "unless the lethal pattern is changed, this nation will be destroyed."

Now just how lethal is the pattern? Simon notes correctly that the national debt increased by 92 percent in one decade. But, standing by itself, this means nothing, because the burden of the debt can only be measured in terms of the size of the nation and its economy. The relevant question is: how big is the debt in relation to the gross national product? (A six-month-old infant cannot carry a ten-pound load, but a boy of sixteen can.)

Simon makes no mention of the GNP. If he did, he would have to record that in the years 1966-76 our total output rose from $753 billion to $1,736 billion, an increase of 115 percent. Our economy grew far more rapidly than our total indebtedness. As a percentage of GNP, our total debt *shrank from 46 percent to 37 percent*. A longer-range view reveals that what happened in the years from 1966 to 1976 is not an isolated example. In 1946 the federal debt was 132.8 percent of national production; by 1962 it was 55 percent, by 1965 only 48 percent; by 1976 it was 37 percent. As a percentage of the GNP, our federal debt since 1946 has been cut in half and then almost cut in half again.

In his assault on the "lethal" implications of a mounting debt, Simon restricts himself to the public sector. But, if he applied the same measure of "lethality" to the private sector, he would have to abandon all faith in the "free enterprise" system. In the years from 1966 to 1976 the net corporate debt rose from $506.6 billion to $1,414.7 billion—an increase of about 175 percent. If Simon is shocked by an increase of a mere 92 percent in the federal debt during that decade, he ought to be stupefied by this rise of about twice as much in the corporate debt.

No doubt, Simon would have his answer—and a proper answer, too. Corporate debt should be measured only as a percentage of corporate assets: if the companies are big and strong enough to carry the load then there is nothing to worry about. The paradox of deficit—the larger, the lighter—can only be understood in terms of growth. A nation can carry an enlarged debt with relative ease if the gross national product expands.

No one has put this elementary concept more delightfully than Thomas Macauley in *The History of England* (Chapter XIX). More than a century and a half ago, he described—



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with considerable amusement—the empty-headedness of all those who were daily predicting the end of the realm because of the growing national debt:

> At every stage in the growth of that debt it has been seriously asserted by wise men that bankruptcy and ruin were at hand. Yet still the debt went on growing; and still bankruptcy and ruin were as far as ever. . . . It may now be affirmed without fear of contradiction that we find it as easy to pay the interest of eight hundred millions as our ancestors found it, a century ago, to pay an interest of eighty millions. . . . They erroneously imagined that there was an exact analogy between the case of an individual who is in debt to another individual and the case of a society which is in debt to a part of itself. . . . They saw that the debt grew, but they forgot that other things grew as well as the debt.

A century after Macauley, England found itself in trouble, not because of its debt but because its capitalists had for half a century been bleeding England by drawing profits from its economy and then exporting those profits to other lands for a quick buck. The failure of the British economy to grow created an imbalance between debt and assets.

In the United States, one of the great—if not the greatest—stimulants to the growth of the economy has been government expenditure. In 1929, the year the Depression began, the GNP was at $103 billion; by 1933, the year Roosevelt came into office, the GNP had fallen to $55 billion. The nation—in the hands of the free entrepreneurs—was going to ruin. Then, FDR began to spur the economy by public spending with the result that by 1939 the GNP was up to $90 billion, and by 1941 to $124 billion. And today, with all that public spending by all those Democrats and Republicans whom Simon rejects, the GNP is moving up to the two-trillion mark, with the consequence that the public debt in relation to GNP is at the lowest point since the end of World War II.

Simon is not unaware of the way in which America—by and large—has grown. Indeed, he boasts of our greatness: almost every home has a phone; half the families have at least one car; almost all have a TV set; we feed ourselves and feed half the world; etc. But, Simon rushes to proclaim, this "flood of wealth emerges from the *lack of any direction of the economic process, from the lack of government control, from the lack of state-imposed or 'national' purposes and goals*" (p. 24).

But, after announcing that there is little "government control" and that we owe none of our prosperity to Roosevelt or any of his imitators right down to Nixon, Simon goes on to declare our producers are under "almost lethal pressure" because they (the American producers) "are subjected to *more arbitrary regulation than any other Western country*" (p. 191).

Obviously, Simon has not yet made up his mind whether we are the *least* or the *most* government-regulated economy in the West. He says one or the other, depending on the point he is making at the moment. To prove that free enterprise makes for our greatness, he says we are the *least* regulated; to prove that our Administrations have, since FDR, been wrecking the economy, he says we are the *most* regulated. For this bad reasoning there is a good reason: the desire to propagate a faith that all would be well with the world if the capitalists were only fully free to pursue their profits without interference.

These prophets of the profit motive do not, of course, think of themselves as preachers of a faith but as hard-nosed realists relating the truth. Indeed, it is their stock in trade to denounce utopians who construct dreamy societies built out of perfectable people. Yet, the conservative concept of a better world arising from the unchecked, unregulated, unleashed pursuit of profits is a typically utopian fantasy woven out of a naive notion of human nature. The conservative ideal assumes that capitalists (who are also people) will not conspire, that they will not beat down wages and push up prices, that they will not pollute the air and water, that they will not corrupt legislators and judges, that they will not cheat consumers, that they will not



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indulge in fake advertising. In sum, the capitalist can be trusted to be a nice guy who won't abuse his potential power and won't twist the "invisible hand" into a visible claw.

In this pollyanna view of human nature, right-wing laissez-fairists are at one with left-wing anarchists: remove the state and let people do their thing and all will turn out well because people are innately good. Indeed, argue both Simon and the anarchists, the source of trouble is government: get rid of it and you get rid of evil.

Long ago, Jean Jacques Rousseau addressed himself to this primitive yearning to be free of all social restraint. In such a state of "natural liberty," reasoned Rousseau, man may feel that he enjoys unfettered freedom but he is really deluding himself: without social organizations, man can not survive physically, and without a body of law derived from a social contract, each man is at the mercy of whoever has the power to impose tribute, slavery, or even death. *True* liberty, continued Rousseau, comes with the surrender of "natural liberty," based on club and claw, in favor of "civil liberty," based on law:

> What man loses by the social contract is his natural liberty and an unlimited right to everything he tries to get and succeeds in getting; what he gains is civil liberty and the proprietorship of all he possesses. . . . We must clearly distinguish natural liberty, which is bounded only by the strength of the individual, from civil liberty, which is limited by the general will; and possession which is merely the effect of force or the right of the first occupier, from property, which can be founded only on a positive title.

What Simon and his fellow conservatives preach is "natural liberty" in an economic jungle where order and justice will allegedly be imposed by the mythical "invisible hand." What liberals and radicals seek is a Rousseauan "social contract" in the economic realm, the establishment of "civil liberty" to protect all, including the weakest, against the "natural" rapacity of the mightiest and meanest. The "liberty" to which Simon dedicates his book is no liberty at all, except perhaps for a self-selected few who wish to be "free" to lord it over the many.

The Simon book is really a sort of modernized *Golden Bough*, a collection of the Seven Major Myths that make up the current conservative faith:

1. The myth that the only possible tyranny is the tyranny of the state and that, liberated from statist intervention, capitalists will not conspire to set up their own economic tyranny.
2. The myth that the Founding Fathers set up a federal government to give citizens "freedom from the state."
3. The myth that the federal government was not used by special interests until FDR perverted the Constitution.
4. The myth that the great productive class is that of the capitalists, and that jobless, retired, or poorly paid workers are the unproductive class.
5. The myth that a growing federal debt will bankrupt the nation, although the debt is a shrinking portion of our national income.
6. The contradictory myths that we are the least regulated and the most regulated nation in the Western world.
7. The ultimate utopian myth that men and women, especially the capitalists, left to their own passions, will not try to exploit their fellows.

The title of the book—*A Time for Truth*—is, of course, the summary myth. □



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David Spitz

# Black Rights & Judicial Wrongs

> Whoever hath an absolute authority to interpret any written or spoken laws, it is he who is truly the lawgiver, to all intents and purposes, and not the person who first wrote or spoke them.
>
> —Bishop Hoadly, March 1717

## I

Three problems continue to haunt democratic theory.

One is that the right method does not always produce the right results. Majorities, even when properly counted, are sometimes wrong. Governments, even when representative and accountable, are sometimes oppressive or unwise. Justice requires both the right method and enlightened judgments; but a people and its governments are not always enlightened.

Hence the precarious status of human rights. To ensure certain right results, a society may articulate and define rights, and even incorporate them in a constitution so as to put them beyond the reach of ordinary decision-making processes. But rights always require redefinition, for new circumstances produce new claims. And no rights are inviolable: freedom of speech does not embrace libel or slander; freedom of religion does not sanction human sacrifice or polygamy. The struggle for human rights is a permanent war.

Finally, who is to resolve the tension between majority rule and constitutionally stipulated or newly asserted rights? Who shall determine, in concrete cases, what those rights are, who shall possess them, and what is required to enforce them? In democratic theory this determination, along with positive social action, is the business of legislative bodies, constitutional interpretation the province of the courts. But interpretation entails remedies, for courts cannot explain and apply a right without also indicating an appropriate—or barring an inappropriate—course of action. Judicial legislation is thus unavoidable. What then becomes of the separation-of-powers doctrine? Where then does sovereignty reside?

These problems come together on the issue of racism in America. Blacks (and other racial or ethnic minorities) claim an equal entitlement to the rights of citizens. But many groups, and sometimes majorities, do not fully respect that claim, and legislative bodies have not provided effective and sufficient means to remedy that denial. In consequence blacks have turned to the courts. Federal judges have responded not only by disallowing certain practices and arrangements that infringe upon those rights but also by prescribing positive actions to enforce them. How else, those judges argue, can they protect the rights of schoolchildren, prisoners, the mentally retarded, and others in situations where their violation is beyond dispute? If they do not enforce those rights—which is what they are required to do—who will?

But this enforcement has led the courts into an activist role seemingly outside their traditional jurisdiction and professional competence. Once judges limited themselves



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to a largely negative function, setting standards to which governments were expected to adhere, and articulating basic rights and freedoms with whose exercise governments were not to interfere. Now they essay the positive direction of social policy, transforming themselves in the process into sociologists, social workers, penologists, educational and hospital administrators, fiscal managers, and the like.

In school desegregation cases, for example, judges have redrawn district lines and ordered that children be assigned and transported to schools on the basis of race—to some critics a violation of the principle, asserted in *Brown v. Board of Education* (1954), that the Constitution is color-blind. They have specified the manner in which teachers shall be selected, which schools shall be closed, where new schools shall be built, and even what sums shall be expended (thereby in effect dictating in some cases that additional taxes shall be imposed). They have mandated time schedules and stages of implementation, established review boards with considerable powers, and otherwise involved themselves in administrative minutiae. In these ways, and with respect to other institutions and practices as well—apportionment, prisons, mental hospitals, even systems of local government—they have determined configurations of power and the distribution of resources; and whether, and how, and in what order of priority, one social ill rather than another shall be treated.

The issue is not whether the judges are doing these things badly or well, but whether they should be doing them at all.[1] If they should do them at all, does it follow that they should do all of them all the way? What indeed are the standards or guidelines that demarcate the areas or situations in which judges may properly assume an activist role, and that govern the range and degree of such interventionism?

## II

In his recent book,* Raoul Berger addresses some but not all of these questions, particularly not the last, for his book is a wholesale indictment of judicial interventionism. He is concerned not with black rights but with alleged judicial wrongs. He contends that blacks are not legally entitled to many of the rights they now claim—e.g., suffrage, reapportionment, school desegregation, miscegenation—for those rights are not in the Constitution. Judges, without warrant, have put them there. This is not only a judicial usurpation and prolonged misuse of legislative power, but also a violation of democratic principle; for in a democracy judges should only apply, not make, the law. To the degree that they are called upon to interpret the law, such interpretation should be limited by the intent of the legislature that enacted it. Blacks should, he avows, have the rights they claim; but they must seek them in the legislative arena, not in the courts. Their remedy is political, not judicial.

To establish this case, Berger focuses on the Fourteenth Amendment, the heart of the constitutional struggle for human rights. The vital sentence in that Amendment is the following:

> No State shall make or enforce any law which shall abridge the *privileges or immunities* of citizens of the United States; nor shall any State deprive any person of *life, liberty, or property*, without *due process of law*; nor deny to any person within its jurisdiction the *equal protection of the laws.*

Each of the phrases I have underscored may appear to the ordinary reader as somewhat vague and ambiguous, requiring judicial explication. But for Berger this is not so; as it would not be, he argues, for anyone familiar with the common uses of language and with the explicit statements of the leading protagonists in the debates—both in the 39th Congress and the states.

Thus, he says, "privileges and immunities" included only those rights previously set forth in the Civil Rights Act of 1866: personal

*Raoul Berger, *Government by Judiciary: The Transformation of the Fourteenth Amendment* (Cambridge, Mass.: Harvard University Press, 1977).



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security, freedom of movement, the ownership and disposition of property, and access to the courts—not "political rights" or "unlimited equality across the board." "Life, liberty or property" referred simply to auxiliary rights pertaining to those "fundamental" rights. "Due process of law" meant only ordinary legislative procedures, not the substantive doctrine that a statute is invalid if it is "arbitrary, capricious, or unreasonable," and did not incorporate the Bill of Rights. "Equal protection of the laws" sought only to bar statutory discrimination with respect to those rights protected by the privileges and immunities clause, and did not shift their protection from the states to the federal government.

Far from ensuring the inviolability of what the Supreme Court and "liberal thinkers" have held to be the civil rights of blacks, Berger continues, the Amendment itself recognized that the states would violate them. Hence the stipulation that should a state exclude blacks from the suffrage, this denial would not be void; rather, an appropriate penalty would be attached—confining the representation of that state in Congress to the white basis of the population. Finally, Berger notes, even the enforcement of the Amendment was specifically entrusted to Congress, not to the Supreme Court.

Now, if Berger's reading of the intention of the framers of the Fourteenth Amendment is correct, and if judges are bound by that intention, then much if not all of our legal history under that Amendment will have to be jettisoned.

I shall argue, however, that Berger's single-factor analysis is both primitive and pernicious.

## III

There is certainly room for doubt that Berger reads the intention of the framers correctly, or even that he knows who the framers were and how, after a century of time, their intention—if it was a single intention—is to be discovered.

Surely "the framers" cannot be reduced to the person of the draftsman of the Fourteenth Amendment, John A. Bingham, whom Berger in unwary moments describes as "a confused, imprecise, and vacillating witness," a man "given to windy oratory" and "frequent shifts of position." Yet Berger, ignoring the ancient maxim that the worst person to construe the meaning of a statute is generally the person who drafted it, because he tends to confuse what he intended to say with what he actually said—a maxim obviously to the point in Bingham's case—repeatedly cites and quotes Bingham to support his [Berger's] reading of that Amendment. Nor can "the framers" be the handful of congressional leaders whom Berger also invokes at length, including Thaddeus Stevens, leader of the Black Republicans, who said on the floor of the house to Bingham: "In all this contest about reconstruction I do not propose either to take his counsel, recognize his authority, or believe a word he says."

The framers of the Amendment include *all* the members of the legislative bodies and *all* the citizens of the states who voted for it. To discover what each of them intended that complex Amendment to mean is simply impossible. The Amendment was a bundle of compromises, with each of its crucial phrases the subject of hotly contested and prolonged debate. Who can say—especially in the age before public opinion polls and psychoanalysis—what motivated each legislator and each individual voter in the several states finally to support the Amendment as a whole, and what each intended the Amendment to mean, or thought it meant? Legislators and citizens may have disliked some parts of the Amendment, may have held different understandings of its many provisions, yet may have voted for it because, by and large, for one reason or another (given the fact that they had no power to select freely the provisions they approved and to reject those they did not), its advantages as they diversely understood and judged them seemed greater than its liabilities.

This is why a vote for a general statute or amendment cannot be construed as an approval of each item in it, or as entailing an



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identical understanding of the meaning or intention of each item. This is why parliamentary debates are of limited value in determining the interpretation of a law, and why courts do not in practice rely exclusively (or even heavily) on that legislative intent.

It is no great testimony to Berger's scholarship that, in arguing to the contrary, he quotes selectively from such distinguished Supreme Court justices as Holmes to establish that intention is both meaningful and binding; for Holmes also said (though Berger does not report this) that

> We must beware of the pitfalls of antiquarianism, and must remember that for our purposes our only interest in the past is for the light it throws upon the present. I look forward to a time when the part played by history in the explanation of dogma shall be very small, and instead of ingenious research we shall spend our energy on a study of the ends sought to be attained and the reasons for desiring them. . . . In the case of a statute . . . we do not inquire what the legislature meant; we ask only what the statute means.[2]

Nor does Berger report the fact that President Andrew Johnson—who might be expected to have known what his contemporaries in Congress were about—vetoed the Civil Rights Act of 1866 (which Berger himself argues was incorporated into the Fourteenth Amendment) because it attempted to fix "a perfect equality of the white and colored races . . . in every State of the Union." In none of the enumerated rights, he said, "can any State ever exercise any power of discrimination between the different races." Many of the voters in the states also seem to have read it that way, as evidenced by Berger's interminable quotations from congressional spokesmen who sought to persuade those voters that the Amendment did not mean what they took it to mean. Why then did the 39th Congress not alter the language of the Amendment to make clear what was evidently unclear? Berger says it was not necessary, for everyone understood its meaning. Everyone—including President Johnson and many (Berger does not ask how many) of the voters?

For these and other reasons Chief Justice Warren was surely right to have held the historical evidence "inconclusive." But even if it were conclusive, it would not in itself decide the *meaning* of that Amendment.

## IV

Berger thinks that the *meaning* of the Fourteenth Amendment, as of any law, is determined by the intent of its framers, and that, consequently, any judicial departure from that meaning constitutes an unlawful exercise of legislative power. This notion is erroneous.

1. It confuses a constitution with a statute. A constitution consists of general provisions, designed to accommodate a multiplicity of specific statutes. It rests on "fundamental" principles concerned with enduring issues; statutes look more to immediate problems. Most important, a constitution evolves over time, altered (in keeping with the common-law tradition) less by formal amendment than by custom, what lawyers call "use and wont." Consequently rules of judicial interpretation governing a constitution are, and must be, markedly different from those controlling a statute. Berger, however, treats the Fourteenth Amendment, a part of our Constitution, as if it were a statute. This elementary confusion undermines his entire thesis.

2. This notion also mistakes the nature of the judicial process.

What Berger takes to be a piercing insight—that the Supreme Court often functions as a legislative body, not merely applying but making the law—is not a discovery but a commonplace. It was elaborated in massive detail, for example, by Louis B. Boudin in a widely discussed two-volume work bearing the same title, *Government by Judiciary,* back in 1932 (also in an article with that title in 1911), as well as by Morris R. Cohen in a celebrated essay, "The Process of Judicial Legislation" (1914), and by Gilbert E. Roe in an unduly neglected book, *Our Judicial Oligarchy* (1912). Berger cites none of these (or many other relevant)



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works, nor the quotation at the head of this review.[3]

Not only has judicial legislation been the prevailing practice since the founding of the Republic, its reaches are far greater, and the opposition to its restriction more intense, than Berger seems to recognize. Every critique of this practice, and every attempt to curb or otherwise control it, has foundered on an intractable reality: popular and congressional resistance to interference with what is taken to be the independence of the judiciary. As a result, the Supreme Court exercises a vast legislative power. It makes law through negative action: by vetoing or threatening to veto statutes enacted by national and state legislatures, the Court sets the contours of public policy, limiting what those legislatures may do by telling them what they may not do. The Court makes law through inaction: by refusing to hear certain cases on appeal it affirms the rulings of lower courts and enjoys the added convenience of not having to give reasons that might expose it to criticism. And most important, the Court makes law through positive action: by interpreting both the Constitution and statutes, it translates and applies the judges' understandings of those documents into law and social practice. Thus, as the "final arbiter" of what may or may not be done—a point to which I shall return—the Supreme Court has become a near-sovereign power.

The real issue, then, is not whether judges ought to legislate but the validity of the grounds on which they base their judgments. Those grounds entail precisely what Berger denies: the necessary (because unavoidable) interpretation of a law in accordance with social and ethical considerations—in terms, that is to say, of human consequences; they cannot be (and never have been) restricted to what Morris Cohen called "the phonograph theory of the judicial function": the legal fiction that in the adjudication of cases judges, like sales clerks in a music shop, find (or ought to find) and merely apply, but do not make (or ought not to make), the law. Justice Holmes, to invoke one of Berger's gods again, understood this full well, saying:

> The true science of the law does not consist mainly in a theological working out of dogma or a logical development as in mathematics, or only in a study of it as an anthropological document from the outside; an even more important part consists in the establishment of its postulates from within upon accurately measured social desires instead of tradition. . . . I think it most important to remember whenever a doubtful case arises, . . . that what really is before us is a conflict between two social desires, each of which seeks to extend its dominion over the case, and which cannot both have their way. The social question is which desire is stronger at the point of conflict. . . . When there is doubt, the simple tool of logic does not suffice, and even if it is disguised and unconscious, the judges are called on to exercise the sovereign prerogative of choice.

More pointedly, Holmes went on:

> I think that the judges themselves have failed adequately to recognize their duty of weighing considerations of social advantage. The duty is inevitable, and the result of the often proclaimed judicial aversion to deal with such considerations is simply to leave the very ground and foundation of judgments inarticulate, and often unconscious. . . .[4]

Berger thinks this is a monstrous notion. He wants our judges to be moral and political eunuchs, exempt from human passions, social interests, and economic bias, and deciding cases only in accord with the revealed intentions of the framers. But such creatures and imputed roles are figments of Berger's imagination; they do not and cannot exist in the real world. Moral and political considerations *always* play a compelling role in judicial deliberations and findings, as may be evidenced by a case in the headlines even as I write these lines.

The Nazi party sought to parade and display the swastika in Skokie, Illinois, a predominantly Jewish suburb of Chicago, whose residents include several thousand victims of Nazi concentration camps. Hastily drawn Skokie ordinances prohibited public



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demonstrations by "members of political parties wearing military style uniforms" and the distribution of any material that "promotes or incites hatred." Do such ordinances violate the constitutional protection of free speech and free assembly?

Neither we nor the judges know the answer to this question; rather, we do not know because the judges do not know. This is why the internally divided Illinois courts, abetted by split decisions (without opinions) of the United States Supreme Court, pursued a vacillating course: first upholding the ordinances, then allowing the march but banning the display of swastikas, finally permitting both the march and the Nazi insignia.

In all these rulings, neither the intention of the framers nor the language of the First Amendment was sufficient to determine the issue. The words of that Amendment provide for no exemptions whatever, not even libel or slander or "fighting words" or a "clear and present danger" of ensuing violence or unlawful conduct. Yet these and other exemptions have long been recognized. The judges disagreed as to whether such exemptions applied in this situation. But in ultimately ruling as they did, they decided that the "intense adverse emotional reactions" likely to be produced by the display of Nazi uniforms and swastikas, as psychiatrists argued,[5] is in effect less consequential than, say, shouting "fire" in a crowded theater. Whatever may be said of this judgment, the judges surely did not arrive at it by looking at the intention of the framers or the language of the First Amendment.

It is all too evident that if the Skokie case is ever fully argued on appeal, the Supreme Court's ruling will unavoidably turn on the justices' interpretation of the constitutive elements of free speech and of the proper balance between individual freedom and harm to others. The simple intention of the framers to protect critics from governmental suppression cannot dictate that determination. Nor does their language distinguish between symbolic and actual speech, or between speech to promote political discussion and speech to provoke violent action. Consequently, while the justices will of course look to our legal traditions, they cannot escape weighing the facts and estimating the outcomes in terms of moral and political values not spelled out in the First Amendment. Hence the cleavages that appeared in previous rulings will doubtless appear again.

What is true (and will be true) of the First Amendment in the Skokie case is true (and will remain true) of the Fourteenth Amendment in race cases, as the recent Bakke decision demonstrated only too well. It cannot be otherwise.

## V

Constitutional law and statutory law, unlike natural law, are the products of human will. They bear a direct relationship to power and an ambiguous relationship to justice. To write of law and the judicial function without an adequate understanding of politics and power in a pluralist democracy, and of human conceptions of and yearnings for justice—as Berger does—is not only to move into a never-never-land but to invite disaster.

1. Where power is concentrated in a single place, one can only appeal for redress to the very power that has already inflicted the injury—hardly a promising prospect. Where power is divided, one obviously turns instead to an alternative power, seeking to correct a grievance not through petition or prayer but by playing one power against another; for in these struggles power, not principle, is decisive. Blacks, along with everyone else experienced in democratic politics, understand this quite well. They would be wildly irresponsible if they did not, in consequence, take advantage of democratic pluralism to maneuver as best they can to get what they want. For Berger to avow sympathy for their political aims but to deplore their recourse to judicial power as illegitimate is altogether unrealistic.

2. Berger roots much of his argument in what he takes to be historical facts, but he lacks a crucial historical insight: an insight into the perspective of a minority, especially



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black, perspective on American law and politics, and consequently on contemporary judicial practices and political possibilities.

In this view, many white Americans avowedly committed to equality have nonetheless practiced (what is taken by its victims at least to be) a form of genocide with respect to the Indians and diverse forms of tyranny, not excluding wanton lynchings, with respect to the blacks. Such white Americans hate and fear the blacks and do not intend to admit them into politics, education, and society as free and equal persons. This is why, despite the Fourteenth Amendment, almost every judicial decision prior to 1954 on matters of race—e.g., *Plessy v. Ferguson* (1896), which held constitutional the "separate but equal" doctrine—has been but another obstruction to their legitimate aspirations, as have also political practices and arrangements that excluded blacks from the suffrage and hence from attaining their goals through channels readily accessible to others.

Their focus, therefore, is not on the right method but on right results. In a just society, perhaps for whites in a society where by and large they are treated justly, the right method is obviously crucial. But in an unjust society, or in a society where blacks are treated unjustly, the first item of business is to secure justice, to achieve the right results. Hence *Brown v. Board of Education* is not simply another legal case, to be debated by legal technicians and theorists. It is a major political and psychological event, a revolutionary breakthrough in the long struggle for human rights and equal justice.[6] Among other things, it created expectations that, when frustrated, drove the blacks into the streets and made possible the several subsequent Civil Rights Acts, including the Voting Rights Act of 1965, which enabled blacks effectively to participate in the suffrage and since then to gain an increasing share of political power. It has given blacks greater, if not yet fully equal, access to educational—and thus economic—opportunity. It has moved them from subjects to citizens.

In this perspective, to decry the Brown case and other decisions furthering civil rights—as Berger does—is to seek to turn back the clock. For how, without such judicial intervention, could the blacks have secured, or hope now to secure, their just claims? Without such intervention, they would still stand before Congress and state legislatures, and before public opinion, as servile petitioners, not equal citizens. Without further judicial intervention, even the rights they have seemingly secured will not be enforced. And if this constitutes judicial legislation, at least it is in a right cause; for it is, after all, the business of the courts to administer justice.

3. But Berger mistakes the meaning of justice. He confuses it with power and law. This is understandable, for over the entrance to the Supreme Court we read the motto: Equal Justice Under Law—*not* Law (Equal or Unequal) Under Justice. The law, made by those in power, determines what is just; justice, a product of knowledge and wisdom, does not determine what is law. To be sure, individuals and groups invoke the name of justice when they seek to change the law; but their success or failure in that effort will turn, as Thrasymachus and Hobbes understood, not on the justice of their cause but on the power they are able, or unable, to muster in its behalf.

Since, then, justice so conceived is not a matter of abstract right or utility but solely what the law declares it to be, Berger's notion of the proper judicial role—what is pietistically called the administration of justice—is to apply that law *as it is*. His is the voice of Javert: The law, the law, I live only by the law, and I will see to it that the law is obeyed. But the blacks, along with others primarily committed to justice, wish rather to hear the voice of Jean Valjean.

## VI

To all these arguments Berger makes, in part, the same legalistic reply. Judges are bound not by justice but by the Constitution. Laws are to be made not by judges but by legislatures. But now he adds a crucial argument: that if judges are not so bound, if they are free to do whatever they will, our



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system will be converted from a government of laws into a government by a lawless judiciary.

Here, for the first time, I must register certain agreements with Berger. Judges should, in the American system, be bound by the Constitution; laws should be enacted by legislatures; we should not be ruled by an aristocracy of the robe. In emphasizing these elements of democratic theory Berger is on sound terrain.

But it remains true that to be bound by the Constitution judges must first know what the Constitution *means*, and this, I have argued, entails interpretation. Laws are of course made by legislatures, but in the nature of the case they cannot be made *only* by legislatures; for in applying the law (I have tried to show) judges must also make law. The real issue, then, if we are to avert rule by a judicial aristocracy, is to control that judicial rendering by subordinating it to the legislative will. At this point, however, Berger's case completely collapses; for, unlike Boudin and Cohen, he fails to understand that what is required to subordinate the judicial to the legislative will is the elimination not of judicial *legislation* but of judicial *review*, an entirely different principle. Indeed, by accepting and supporting judicial review—the power of the Court to declare unconstitutional an act of Congress or of the state legislatures—Berger abandons the most effective way to control judicial legislation and prevent judicial supremacy.

This is not the place to reopen the old and probably inconclusive debate as to whether or not the framers of the Constitution intended the Court to have this power—the literature is vast and still mounting—though I must enter my own belief, *contra* Berger, that it was not clearly given to the Court. What is necessary to note is that this power, which the Court exercises, makes possible the "absolute authority" of which Bishop Hoadly spoke and that enables the Court to become the "final arbiter" constitutive of near-sovereign power. It is this power, consequently, that is at odds with democratic theory; for without it, the Court's "improper" rulings can readily be corrected by congressional legislation.

1. A distinction must be drawn between judicial review in a federal system and in a system of coordinate branches of government. In a federal system the states cannot be allowed to override the Constitution; hence judicial review by the Supreme Court, or some equivalent body, is essential. But as one of three branches of the government, it is not easy to see why that power is required—apart from certain technical considerations, e.g., Marshall's refusal to accept the writ of mandamus in original proceedings so as to protect the Court's autonomy as a coordinate branch of the government.

It is true that judicial review is not beyond correction and control: through political pressure (say of a determined president like Jefferson or Grant or Franklin Roosevelt, or—as Mr. Dooley said—of the election returns) or constitutional amendment. But the first has proved to be little more than a temporary expedient; it has not altered the power of the Court, only (occasionally) its personnel and (for a time) its social and political direction. And the second, apart from its difficult procedures, has not touched the crucial fact that the Court still retains the power to interpret the amendment.

Other controlling devices are of course available: Congress can limit the Court's appellate jurisdiction or expand its size; the President can affect the character of the Court by his new appointments or impair its effectiveness by refusing to enforce its rulings; even public ire may move the Court; and impeachment, since Jefferson, always stands over the justices like a Damocletian sword.

But the more evident and realistic controls are internal to the judiciary itself, primarily the accountability of lower courts to the Supreme Court and the principle of judicial self-restraint.

2. These internal controls are at the center of the final, and perhaps most important—surely the most difficult—question: What if the justices do not properly exercise those internal controls? What if they go too far, as



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they have by injecting substantive meaning into the due process clause? How shall we know when they sufficiently restrain themselves? What are the standards appropriate to their work? What guidelines determine, or ought to determine, the limits of judicial interventionism?

Since the law, like politics, is not a mathematical science but an art—a product of compromises among conflicting power groups and interests, and hence less the incorporation of a coherent philosophy than a series of mutual adjustments that permit community survival—a clear answer to these questions cannot be vouchsafed. All that can be ventured is a set of considerations relevant to such an answer.

I put first the principle of equity: that courts must provide a remedy in proportion to the injury, so as to make that injured person whole. What Berger and critics of judicial interventionism too often forget is that the courts enter only by way of response to a plaintiff, who alleges he was unlawfully injured and asks restitution. The courts do not "invade" the legislative and administrative realms; they are dragged into them by the failures—of omission and commission—of deficient administrators and negligent legislators, as the treatment of black prisoners in Alabama and Arkansas jails, of mental patients in Willowbrook, and of black schoolchildren still under the operative (though outlawed) "separate but equal" doctrine make only too clear. In all these and similar cases, the Constitution may be color-blind but the remedy cannot be. The black plaintiff before the court has a right to redress, and judges cannot overlook his equity because the available remedies involve judicial legislation and administration, and recognition of his race.

Second, while the principle of equity requires that justice is paramount in the case of a particular individual or class, judges may undermine the *corpus juris* and impair their credibility if they extend that principle unduly, if they apply it to too many cases too much of the time. This maxim, a qualification of the previous point, is a matter of prudence, not of scientific exactitude. It reminds the judge that while he must at times wear the legislator's or administrator's hat, he should not do so regularly, He is primarily a judge, and as such must always look to the preservation and (as far as possible) coherence of the legal system.

An academic analogy may help to make this clear. If a university is a center of intellectual inquiry, and if diverse points of view should be represented to promote that inquiry, it follows that professors of different persuasions should be appointed. It does not follow that a Marxist, Thomist, Republican, Nihilist, Vegetarian, etc. must be placed in every social-science department, only that qualified persons holding such outlooks should, where relevant, be represented in some degree. How many such persons in how many such departments is a contestable question, and no definitive answer can be given. But every university administrator worth his salt is conscious of the validity of this requirement and will (or should) do what he can to meet it.

In these matters experience, not logic, is the ultimate guide. And for this experience court watchers should look not at extreme cases to emphasize what is wrong but at the more numerous moderate or intermediate cases—the continuum—that disclose the governing practice.

Finally, since the Supreme Court is a political and not merely a legal institution, a further test of proper judicial interventionism is the amount of opposition it arouses. Power in a democratic system is an element within a social process, and that process is sustained not only by coercion but by a large measure of consent. For the Court to take a position that alienates popular consent is to ensure the opposition of countervailing powers. A wise and prudent Court does not unnecessarily invite combat; much less does it engage in activities that threaten the community's or its own survival.

This is not to say that the Court should avoid conflict at all costs. There are advantages in conflict; indeed, our system is based on it, for where there is a Constitution there is



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already a built-in tension between temporary majorities and a Court charged with the maintenance of that Constitution. It is rather to say that judges (and lawyers) need to be political craftsmen and not simply legal technicians. They require training in and knowledge of the social sciences. Otherwise they might well stretch their powers to the breaking point.

## VII

Many years ago an English judge, Edward A. Parry, opened his book *The Law and the Poor* (1914) with this sentence: "The rich have many law books written to protect their privileges, but the poor who are the greater nation, have the few."

The blacks all too obviously are the smaller rather than the greater part of the American nation, but they too have fewer books (and lawyers) to protect them. Given the existing state of injustice, Berger would have served a better purpose had he sought effective remedies to promote black rights, not crotchety doctrines to attack alleged judicial wrongs. □

## Notes

[1]For some of the problems, see Nathan Glazer, "Should Judges Administer Social Services?" the *Public Interest*, Winter 1978, pp. 64-80; also Berger, pp. 428-31.

[2]Oliver Wendell Holmes, *Collected Legal Papers* (New York: Harcourt, Brace, 1920), pp. 194-95, 207.

[3]Obviously, a writer need cite only references he deems requisite or useful. But in so painstaking a scholarly work -I count no less than 1,647 footnotes including 131 books and 108 articles—I find inexplicable the omission of these and other leading items such as Rodney Mott's *Due Process of Laws*, E. S. Corwin's *Twilight of the Supreme Court* and *Court Over Constitution*, A. C. McLaughlin's *Constitutional History of the United States*, and W. W. Crosskey's *Politics and the Constitution in the History of the United States*, not to speak of the writings of a host of legal philosophers, e.g., Felix S. Cohen, Ronald Dworkin, Jerome Frank, H. L. A. Hart, and Julius Stone. I cite these—and could add others -only because, like Boudin and Morris Cohen, they deal directly and insightfully with Berger's themes and contain many of the points and leading arguments he advances as well as counterconsiderations he ignores.

[4]Holmes, *op. cit.*, pp. 225-26, 239, 184.

[5]Cf. Dr. William G. Niederland, letter to the *New York Times*, February 7, 1978.

[6]A number of earlier cases, beginning a decade before, did much to prepare the way. Thus, in *Smith v. Allwright* (1944) the Supreme Court outlawed the Texas white primary (and, more significantly, paved the way for the Brown case by also rejecting the doctrine of *stare decisis* in the realm of constitutional law); in *Morgan v. Virginia* (1946) the Court declared invalid state laws requiring segregation in interstate buses; in 1948 a series of cases did away with racial restrictive covenants; and in 1950 the Sweatt and McLaurin cases practically outlawed segregation in public higher education. For these and related documents, as well as the general history, see any of the standard anthologies: *Civil Rights and the American Negro: A Documentary History*, Albert P. Blaustein and Robert L. Zangrando, eds. (New York: Washington Square Press, 1968); *Documents of American History*, Henry Steele Commager, ed. (6th ed., New York: Appleton-Century-Crofts, 1958); and *The Negro in 20th Century America*, John Hope Franklin and Isidore Starr, eds. (New York: Vintage, 1967).

The sociopolitical significance of these cases further demonstrates Berger's unrealistic notion of the judiciary as simply a technical legal body. □



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Amy Gutmann

# Freud versus Feminism

## I

The attitude of the women's movement toward Freud has changed in recent years. The movement's beginnings were marked by an attack upon what were seen as the rationalizations of Freudian theory for the subordination of women. Naomi Weisstein's "Kinder, Küche, Kirche as Scientific Law," widely read among feminists of the New Left, represented the prevailing attitude toward psychological theory:

> Psychology has nothing to say about what women are really like, what they need and what they want, essentially because psychology does not know. I want to stress that this failure is not limited to women; rather, the psychology which has addressed itself to how people act and who they are has failed to understand, in the first place, why people act the way they do, and certainly failed to understand what might make them act differently.[1]

Recently, however, there have been signs among feminists of a sympathetic interest in psychoanalytic theory. Freud has been defended not only against those overtly hostile to psychological theory in general but also against feminist revisionists.[2] Juliet Mitchell, the English writer, has been an intellectual leader of this movement to defend Freud and Freudianism. She is both a most sophisticated Freudian theoretician of feminism and a major figure in the radical feminist movement.

In *Pyschoanalysis and Feminism,* the best work by a feminist writing from a Freudian perspective, Mitchell has mustered new arguments to defend Freud's case concerning women, and in the process she has undermined several previous critiques of Freud simply by distinguishing between psychoanalytic theory as a means of *explaining* and a means of *justifying* the situation of women in modern society. She rightly takes Freud to have been more concerned with explanation—although I shall argue that explanation in Freud's theory connects more closely to a political position than Mitchell recognizes.

Mitchell attempts to do much more in *Psychoanalysis and Feminism* than to vindicate Freud. She elevates Freudian theory to *the* explanatory framework we need in order to understand the psyche of woman in modern society and the possibilities for her liberation. She does not, of course, claim that Freud himself discovered the path of liberation: that discovery is her own task. But she argues first that Freudian theory leaves open certain paths for the liberation of women, and then that these paths can be more clearly mapped by following the leads of Lévi-Strauss and Marx. Freudianism is defended as the correct scientific analysis of woman's present, subordinate condition; the theories of Lévi-Strauss and Marx, she adds, can aid us in discovering why woman's condition was originally created by men and why the reasons for its creation have now been superseded.

I shall argue, however, that Freud's theory—even with Mitchell's revisions—is too deterministic to serve feminist goals; that neither Freud nor Mitchell has offered adequate evidence for the view that woman's consciousness is determined by an inherited patriarchal culture; and that in the absence of



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such evidence, there are more plausible premises upon which to base a theoretical position. Feminist aspirations need not be directed to abolishing the nuclear family—the only logical choice that Mitchell's Freudianism leaves open. A non-Freudian feminism would direct our efforts, instead, toward a more egalitarian restructuring of the family. Therefore, I am interested not only in demonstrating that Mitchell's defense of Freud fails, but in what that failure—since it is so significant—can tell us about the problems of woman's estate.

One might, of course, still claim that Freud's analysis is correct, despite its pessimistic implications concerning woman's future. In Part II of *Psychoanalysis and Feminism,* Mitchell criticizes Simone de Beauvoir for faulting psychoanalysis on the grounds that its implications are undesirable: "concerned to assert a philsophy, de Beauvoir has had to find the source of her rejection of psychoanalysis in its implications alone."[3] Indeed, were Freud's theory shown by Mitchell to be correct on other grounds, how could we criticize it for leading to conclusions we find unpleasant? I shall argue, however, that Mitchell's refusal to assess Freud's theory on the basis of its implications rests upon a naive conception of the status of that theory as a science, and on a mistaken assumption that "hard" empirical evidence is available to prove his theory (as a whole).

Let me begin by asking why—given all he has become notorious for saying about woman, her penis-envy, her narcissistic, masochistic, and hysterical tendencies—does a feminist writer want to revive Freud's theory? A sociological explanation is plausible: the feminist revival of Freud in the '70s may be connected to the failure of the women's movement in the late '60s. In *Woman's Estate,* Mitchell looked toward a political mass movement of women to challenge the existing social institutions that relegated women to the private domain and to the less rewarding occupations. Obviously, Mitchell does not count the women's movement a success. Why did it fail?

Mitchell recognizes that the oppression of women is not a straightforward case of exploitation. Although women have subordinate roles in our society, they have not been forced into them by men—at least not in any simple sense of "force." Pointing to the enormous contribution they willingly make to society in raising children, many women claim to be a "separate but equal" rather than a "second" sex. The same situation has been interpreted much less favorably by other women, but the comfort and value, if not satisfaction, that a significant proportion of women find in families cannot be doubted. However similar in some respects, women's oppression is distinct from that of blacks: we have been more acquiescent in our subordination despite the smaller (though by no means insignificant) number of barriers to our entry into the public domain.

All this suggests that some psychological explanation of the subordination of women is necessary to supplement explanations couched in political and economic terms. The latter sort of explanation may be valid but will certainly be insufficient to explain why a majority of women have not yet rebelled against their unequal status. Any valid psychological explanation will begin with the family that first socializes us all, but because women are socialized from the start not only by another woman but also by one person, their father, who does not share their subordination. We may therefore expect that the family will be more central to an explanation of women's subordination than to an explanation of the continued oppression of blacks.

Here is one plausible reason why a radical feminist writer would want to adopt a Freudian framework. Freud's theory provides a powerful explanation for why female children will grow up to be women who accept the inferior allocations of status in a masculine culture or, much less frequently, grow up to be women who rebel against their subordinate status but at the cost of sacrificing what is perceived to be their womanhood.



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Mitchell's account of Freud's theory captures all the subtleties of his explanation of why women are socially and psychically underdeveloped relative to men. The Oedipal situation pushes female children into a passivity toward their fathers and later, by extension, their husbands. In addition to having less active aims than men (who primarily wish "to love" rather than "to be loved"), women's moral development is stunted by the family. Only male children will be psychologically forced to integrate the moral prohibitions placed upon them by their fathers, and they will thereby develop a superego. Grown men become the creators and primary protectors of morality and cultural norms, according to Freud: "The male sex seems to have taken the lead in all these moral acquisitions [religion, morality, and a social sense]; and they seem to have been transmitted to women by cross-inheritance."[4] Women, lacking a well-developed superego, never really contribute (except passively) to the development of civilization. A large portion of woman's own estate therefore is constructed by men.

What are the consequences for feminism—especially for the feminist view of the family—of Mitchell's adoption of Freudian theory? They are not happy ones. The marks of womanhood are akin to scars: "masochism," "passivity," "vanity," "jealously," and "a limited sense of justice" all follow from woman's place in the family. Whether or not Freud took the nuclear, patriarchal family as a quasi-biological given, Mitchell clearly is anxious to establish the cultural relativism of the patriarchal family. For only if it is a passing cultural phenomenon can there be any hope for psychic and social liberation.

Mitchell, like other radical Freudians, tries to call into question the necessity of the patriarchal nuclear family. But her task is difficult, for she recognizes that the patriachal family not only has preceded bourgeois society and survived the collapse of capitalism in many countries, but has also coexisted with recorded human civilization.

The need for the patriarchal family within civilization, she argues, has never been a biological one. Here she borrows from Lévi-Strauss, attempting to eliminate any doubts that we still might have concerning the correct status of the family in Freudian theory: the patriarchal family has been a cultural rather than a biological necessity. The original biological family was transformed long ago by the taboo on incest, a taboo essential for societies to cohere: "This prohibition [on incest] forces one family to give up one of its members to another family. . . . The act of exchange holds a society together: the rules of kinship (like those of language to which they are near-allied) *are* the society." But the very system of exchange, or exogamy, that makes civilized culture and stable societies possible also places women in an unequal position, for they are universally the objects rather than the agents of exchange: "Whatever the nature of the society . . . it is always men who exchange women. Women thus become the equivalent of a sign which is being communicated." Neither Mitchell nor Lévi-Strauss explains why the objects of social exchange must always have been women rather than men (indeed this is a disputed contention),[5] but the question of how patriarchal civilization developed is not one with which I now wish to burden Mitchell's analysis.

The more crucial question is whether this cultural necessity for male dominance still exists. Despite the persistence of patriarchy, Mitchell's answer is "no." Here she invokes a neo-Marxist analysis: advanced capitalist civilization has passed beyond the point where it "needs" its discontents, whether they be the discontents of alienated labor or of sexism:

> Under capitalism, just as the economic mode of production contains its own contradiction, so too does the ideological mode of reproduction. The social conditions of work under capitalism potentially contain the overthrow of the exploitative conditions into which they are harnessed and it is these *same* social conditions of work that make potentially redundant the laws of patriarchal culture. . . . It is the working class as a class that has the products of its social



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> labour privately appropriated by the capitalist class; it is women who stand at the heart of the contradiction of patriarchy under capitalism.

But if, as Mitchell argues, "capitalist society establishes the family in the context of its redundancy," why then does the patriarchal, nuclear family persist in contemporary capitalist societies? Despite her earlier disclaimers concerning the idea of a collective unconscious, Mitchell attributes the persistence of the patriarchal family beyond the era of its social necessity to its ideology, passed down for centuries through our collective, cultural unconscious: "The patriarchal law speaks to and through each person in his (and her) unconscious." In fact, Mitchell concludes, "the reproduction of the ideology of human society is thus *assured* in the acquisition of the law by each individual" (emphasis added).

So, while she is anxious to criticize the view that the patriarchal nuclear family is a biological given, Mitchell accords that same family structure a peculiar cultural permanence that transcends its objective social necessity. Freud, she has argued, "did not believe things were biological, instinctual and changeless: he thought they were cultural." However, in Mitchell's understanding of culture, things like the nuclear family remain changeless *despite* their biological and instinctual superfluity. Thus Mitchell, remaining faithful to Freud, must accord enormous explanatory significance to the unconscious. But unlike Freud (and Marx), she sees the need for a separate cultural revolution to overthrow the patriarchal family:

> A specific struggle against patriarchy—a cultural revolution—is requisite. . . . women within revolutionary feminism can be the spearhead of general ideological change as the working class is the agency of the overthrow of the specifically capitalist mode of production.

Mitchell's own politics finally reemerges from the pile of Freudian analysis: it is a politics closely resembling that of her first work, *Woman's Estate*. She seeks a means for rational, collective action among women. Yet, the analysis she has chosen provides her only with a tool for explaining why women (and men) can be expected to act against their own rational interests—a tool that serves in fact to undermine our political hopes.

Perhaps the only conscious motives Freud distrusted more than those of individuals were the professed aims of the members of mass movements. "Do not let us forget," Freud warned, "that the demand for equality in a group applies only to its members and not to the leader. All the members must be equal to one another, but they all want to be ruled by one person."[6] Freud concluded that people are horde animals, always unconsciously seeking to be led by a (male) chief.

The only potential "solution" Freudian analysis offers to this bleak view of our potential for liberation operates (at least initially) on an individual level: psychoanalysis. It is surprising, although on consideration understandable, that Mitchell never even considers psychoanalysis as a potential means to women's liberation. Psychoanalysis would be at best a very long-term solution, one not now available to the majority of women (or men). However, even if universally available, it would not do much more than allow women to become aware of their unconscious patriarchal inheritance. It would not necessarily enable us to change our inheritance. The ability to change would entail another theory, one that accords the unconscious less permanence and the conscious more independent control. In Freud's view, psychoanalysis can provide us with the truth. But the truth will not set us free.

Thus, although Mitchell still appears to be concerned with the possibilities of transforming patriarchal society through collective action, she fails to see how far her political hopes are from Freudian possibilities. The Freudian theory she develops places two enormous obstacles before her feminist goals. First, there is no clear way to change the patriarchal nuclear family in Freudian theory, given the enormous power accorded to the unconscious. Second, even were we to find some agent of change, it is not clear whether changing the family (without destroying it) eliminates women's psychic subordination.



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Let us assume that women find some way to overcome the burden of their unconscious, and therefore are prepared to challenge the institutions that have subordinated them. Can anything short of the complete destruction of the nuclear family liberate women? Will, for example, a restructured (nonpatriarchal) nuclear family eliminate women's psychic subordination? From a Freudian point of view, Mitchell's answer must be "no." The basic Oedipal situation the female child faces will remain the same in any family structure consisting of one male and one female parent. Male and female children start out with equal desires and needs in the nuclear family according to Freud: each is attached to and desires to possess his or her mother. But when little girls realize that by comparison to males they are castrated, they reject their similarly penis-less mothers. Their originally active desire to possess their mothers is transformed into a passive desire to be possessed by their fathers. A little boy on the other hand need never abandon his active desires. He is simply "taught" by the threatening authority of his father to shift his active desires to a safer female object—i.e., away from his mother. In the process of this paternal "education," a little boy develops his own moral conscience (superego), thereby transcending the Oedipus complex on his way to becoming a mature man.

Thus, according to Freud, it is the very presence of the male's penis that renders both female adult and female child at a disadvantage within the family.[7] In addition, the development of a superego in men and its relative absence in women meant for Freud that it was men who made civilization and cultural progress possible. Women therefore can justly be regarded as secondary to men within society as well as within the family. Even if Freud's explanation of women's subordination is not a biological one, it still requires us to believe that the psychic and social subordination of women will persist so long as the family exists. In addition, Freud tried to tell us that civilization would be threatened by the breakdown of the patriarchal nuclear family, since the foundation of morality and culture—the male superego—would thereby lose its *raison d'être*. Mitchell perhaps would not want to go that far, but to be consistent with her Freudian analysis and her feminist commitments she must call for the destruction of the nuclear family. She does not tell us in *Psychoanalysis and Feminism* what her position on this question is, although she insists that the *patriarchal* nuclear family is not synonymous with the nuclear family itself. Is this meant to imply that we might abolish the former without destroying the latter? Unfortunately, we are never told.

In *Woman's Estate*, Mitchell's explicit aim was "the liberation of women and the equality of sexes, *not* the abolition of the family" (emphasis added). There she proposed, among other things, a new differentiation of functions: freeing women from the necessity of bearing children and freeing the decision to reproduce from the expectation that the mother will be the major child-rearer and housekeeper. But all that she can consistently urge now is an "abolitionist" perspective.

Another potential path to woman's liberation follows from the view that the superiority accorded to the penis within the nuclear family is a *symptom* of the general superiority of men in society rather than a *cause* of women's subordination. Mitchell does not take this path, perhaps because she realizes that though it would make the destruction of the family unnecessary, it would do so only at the cost of overturning Freud's own psychological model of sexual development, replacing it with the view that sexual differences within the family are a reflection of nonsexual—e.g., socioeconomic—differences between men and women.[8] Then one no longer has Freud's theory of sexual development, only Freudian imagery.[9] At times Mitchell seems to be moving in this direction. Since she is committed to the Freudian model, she cannot say that biological sexual differences have no independent causal impact on the dependency of women within the family, but neither is she willing explicitly to accept the more



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pessimistic implications of a Freudian explanation: that women will be the second, subordinate sex as long as the family exists. But one cannot in good faith adopt Freud's analysis of how woman's estate is created and perpetuated and at the same time reject the pessimistic implications of that analysis. Neither Lévi-Strauss nor Marx enables Mitchell to surmount the basic obstacles Freud's theory places in the way of woman's liberation: that women are transformed from bisexual beings into the subordinate sex by the nuclear family and that civilization (not just bourgeois society) is dependent upon that "holy family" for its stability, perpetuation, and progress.

Mitchell, I think, is correct in believing that to understand woman's present situation one needs the tools of a depth psychology. However, the Freudian model she has chosen in *Psychoanalysis and Feminism* will not take her to the egalitarian, pluralist solution she preferred in *Woman's Estate*, a society in which a variety of family structures are recognized as legitimate, each of which accords relatively equal status to its adult members. Perhaps it points her toward a society in which the nuclear family has been overcome; but Mitchell gives us no indication in *Psychoanalysis and Feminism* of what such a society would look like. It is dismaying, therefore, that she does not discover useful revisions of Freud in any of the alternative radical and feminist theories to which she turns in the second half of *Psychoanalysis and Feminism*.

## II

Mitchell's critical aims are as ambitious in Part II of her book as her constructive aims in Part I: here she takes on such diverse thinkers as Wilhelm Reich, R. D. Laing, Simone de Beauvoir, Betty Friedan, Eva Figes, Germaine Greer, Shulamith Firestone, and Kate Millett. Mitchell has two fundamental criticisms of all of these works—each revealing her intended faithfulness to Freud. The first is that they fail to take the unconscious (as Freud understood it) seriously, the second that they are unscientific. Unlike Freud's and Marx's theories, these are normative philosophies (ideologies) rather than sciences of human behavior. Since I take Beauvoir's *Second Sex* to be by far the most intellectually compelling of the feminist books Mitchell examines and also the one closest in spirit to Mitchell's own work, I will concentrate upon her critique of that work.

To a revisionism of Freud and Marx, Beauvoir added an existential philosophy. Its function was clear: by viewing men and women as *makers* of their own meaning in life, as self-creative beings, Beauvoir had a powerful (though partial) explanation both of why women had become the second sex and of how they might extricate themselves from their present situation. By defining woman as "other," man had projected onto her all that he wished to deny in himself, but at the same time wished to receive from someone else in psychological as well as material assistance. Woman, being for various other reasons in a weak position vis-à-vis man, passively integrated that imposed definition of herself. Women are now the second sex in part because men were historically the first occupants of the more advantageous situation, capable of imposing their self-definitions upon women. Women therefore were not originally responsible for their situation. However, they have yet to do the work necessary (and now possible) to extricate themselves from their historical inheritance and to live authentic, self-determining—rather than reflexive—lives.

Mitchell objects to the existential component of Beauvoir's theory because existentialism is a philosophy (a "system of belief" is Mitchell's alternative term) and because it is a philosophy that discounts the significance of the unconscious. That Mitchell claims for Freudian theory the status of science is not unreasonable. But what is unreasonable is her defense of Freud against Beauvoir's claim that Freudianism, like Existentialism, is *also* a philosophy that includes (or, I would say, facilitates) certain normative aims. Existentialism views people as having made certain choices in life, or as having abdicated choice,



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and therefore as at least partially and potentially self-determining. Freud's analysis by contrast is couched in deterministic terms. Mitchell defends Freud against this common charge of determinism in a puzzling fashion by pointing out that:

> Freud's science uses the concept of over-determination. . . . This is a complex notion of "multiple causation" in which the numerous factors can reinforce, overlap, cancel each other out, or contradict one another—a very different proposition from that suggested by simple determinism.

But surely this does not make the matter any better! If a woman's deferential behavior is multiply caused by nonconscious factors—for example, by an unconscious desire for a penis—and also by socioeconomic discriminations, and if one cause, say economic discrimination, is eliminated, she will still remain an object rather than an agent of her own transformation, even if her behavior changes as a consequence. A theory of human behavior positing multiple causation may be more subtle or sophisticated than a unicausal model, but it is no less troubling to anyone committed to the view that people are to some significant extent creative, not created, beings.

Why then choose Freud's theory if you are ultimately interested in finding a way for women to get themselves out of their present situation? The simplest answer is that it is the correct theory and that we had better face up to its pessimistic implications! Before advocating conscious political change, it is important to know what one cannot rationally expect. Given Freud's theory, an equalization among the sexes is an unrealistic hope, since woman's situation is to a large extent a product of unconscious socialization, and socialization is certainly not so amenable to revolutionary change as is economic or political policy. Mitchell appears reluctant to draw this moderately conservative message from Freud. Yet, her interpretation of Freud's theory lends itself to a still more conservative lesson. Mitchell accepts the notion of an inherited collective unconscious, which Freud developed late in his life—a concept that is by far the least well-developed part of Freud's theory: ". . . in the id, which is capable of being inherited, are harboured residues of countless egos. . . ."[10] Or, as Mitchell puts it: "We are each huge and contain multitudes—multitudes in whose names we create ourselves and together with whom we continue our cultural heritage, passing on to others the way of our lives in the language of our unconscious." "The unconscious," Mitchell later argues, "is everyman's heritage of how mankind lives." Affirming that woman's consciousness is unconsciously molded by a sexually inegalitarian inheritance, Mitchell's analysis must lead one to wonder whether woman can ever consciously rid her estate of that entailment.

Now, were there definitive, independent evidence that Freud's theory is correct, the few women who wanted to elevate woman's estate would have to realize the insurmountable obstacles facing them. Along with Mitchell, we would have to swallow our pride as women and begin to wonder how, given Freud's theory, we happened to have such pride. But first we must ask for that independent evidence necessary to support Freud's theory of femininity and the collective unconscious.

Christopher Lasch, a defender of Freud's and of Mitchell's analyses, argues that "psychoanalytical theory cannot be refuted ". . . by 'empirical evidence' in the form of experimental psychology but only by a counter-theory. . . ."[11] None of the basic concepts of grand social scientific theories arise directly out of empirical observations. They are brought by social scientists to their work, and function as selective lenses enabling them to impart theoretical coherence to their work. Many philosophers of natural science now argue that this is also true of "hard" scientific theories.[12] So, indeed, even if Freud's is a scientific theory, as Mitchell claims, we might still argue that a necessary component of that theory is its compatibility with our firmest intuitions concerning the nature of woman and the possibilities for her conscious liberation. In this sense, I think,



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social scientific theories are not distinct from moral theories: justification of each must be "a matter of the mutual support of many considerations, of everything fitting together into one coherent view."[13] Justifications of both sorts of theories are only established once the starting points are accepted (in Freud's case, his basic view of human nature) and the conclusions are recognized as plausible (that women have little or no opportunity for self-conscious liberation).

Mitchell, however, chooses to carry the enormous burden of conservative Freudian analysis with no compelling reason or justification. The existence of a collective unconscious is certainly the most unscientific of Freud's theoretical concepts; neither he nor Mitchell offers any hypotheses of how such an unconscious is passed along between generations. (This differs significantly from the part of Freud's theory that stipulates mechanisms by which character traits develop within a child's lifetime.) In theory, of course, an explanation is possible. But it is surely as plausible to hypothesize that woman's consciousness is less than totally determined by her historical inheritance. Since feminist issues are among the most important on the political agenda today and we are now pressed to take some provisional stand on questions of social determinism versus human autonomy, why choose the more deterministic view if we have no hard evidence on either side? It is disturbing that someone so committed to changing the social position of women does not concede any existential ground to women in our society.

In its extreme form, Beauvoir's existentialism is too voluntaristic. But its virtue is that it accords to victims of oppression an ability to change their situation, imposing upon them a corresponding responsibility for change. Of course, to hold women responsible for claiming their freedom does not deny men's responsibility for the situation in which women now find themselves. It is unfortunate that Mitchell has rejected entirely these insights of Beauvoir's work—just as it would be unfortunate if we failed to accord any weight to the unconscious and to cultural determination. That the patriarchal nuclear family has structured woman's consciousness and her aims in a passive direction is an invaluable insight. At the same time, the belief that an egalitarian restructuring of the nuclear family will elevate women to a position equal to that of the "first" sex, while irreconcilable with Freud's theory, is by no means irrational.

It would be difficult to provide a comprehensive alternative theory that is both internally consistent and compatible with equality. I can only offer some suggestions. First, following Mitchell's insight, any adequate explanation of woman's estate must consider the psychological dimensions of her present situation: what socialization within an inegalitarian (patriarchal) family structure does to women's conscious aims and unconscious desires.[14] Second, such a theory would consider how past and present economic and political barriers to woman's equality reinforce the psychological dimension of her estate. (One might look to John Stuart Mill's *The Subjection of Women* as a preliminary model.) Third, using the insight of Beauvoir's existentialism, this theory would characterize human nature in such a way as to allow for rational political action among both women and men.[15] Finally, such a theory would make explicit its prescriptive purposes: in attempting to discover the preconditions for equality between the sexes, it would also assess the extent to which that equality is possible and desirable, and the value of achieving or trying to achieve it within some sort of familial structure.

Mitchell needs then to take Freud off his pedestal and to recognize that his social theory, like every other, will facilitate some moral judgments and some political actions rather than others. Given our incomplete scientific knowledge of the causes of human actions and consciousness, the moral component of a social theory can be a ground for accepting as well as rejecting its analysis. Mitchell's perspective relieves women of responsibility for their situation, but to be relieved of all responsibility may also entail



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being deprived of all dignity. In order to call in good faith for women to liberate themselves, one must build a theory that admits that they are capable of perceiving their interests and of engaging in responsible political action. And before restricting feminist options to the overthrow of the nuclear family, one should look more carefully at how far an egalitarian redivision of labor within the family, coupled with significant economic and political reforms, can take us toward the goals of individuality, socioeconomic equality, and human dignity. These are goals worthy of theoretical as well as practical pursuit.[16] □

## Notes

[1]Reprinted as "Psychology Constructs the Female," in *Radical Feminism,* Anne Koedt et al., eds. (New York: Time Books, 1973), p. 181.

[2]See, e.g., Christopher Lasch's review, "Freud and Women," *New York Review of Books,* October 3, 1974, pp. 12-17. There Lasch applauds Mitchell's criticisms of feminist revisionists of Freud, concluding that "Freud tells us far more about women's degradation than the enemies of Freud can even begin to tell us."

[3]All references not otherwise identified are to *Psychoanalysis and Feminism* (New York: Pantheon, 1974).

[4]*The Ego and the Id* (New York: Norton, 1962), p.27.

[5]For a challenge to this contention, see *Women, Culture and Society,* Michelle Z. Rosaldo and Louise Lamphere, eds. (Stanford University Press, 1974).

[6]*Group Psychology and the Analysis of the Ego* (New York: Bantam, 1965), pp. 67-68.

[7]See Freud, *New Introductory Lectures* (New York: Norton 1964), p. 124.

[8]It is significant that Freud never considers equalizing roles within the family and socioeconomic positions within society as a solution to woman's psychic underdevelopment. It was not oversight or a lack of concern for women, but his fundamental theoretical perspective that blocked such considerations.

[9]Of course, other important aspects of Freud's theory may remain: e.g., the notion of the necessary trade-off between sexual freedom and the progress of civilization. But it is not clear that Mitchell would want to save this side of Freud's argument.

[10]*The Ego and the Id,* p. 28.

[11]"Freud and Women," p. 12.

[12]Of course, theories in both science and social science still can be partially assessed on the basis of empirical observations. Some theories can be rejected as being less comprehensive and as making less sense of the same observations than others.

[13]John Rawls, *A Theory of Justice* (Cambridge, Mass.: Harvard University Press, 1971), p. 579. See also p. 581.

[14]For an excellent analysis of this sort, see Nancy Chodorow's recent work, *The Reproduction of Mothering* (Berkeley: University of California Press, 1978).

[15]Mitchell, I believe, would want to accept Beauvoir's conclusion in *The Second Sex* that "in order to explain her limitations, it is woman's situation that must be invoked and not a mysterious essence; thus the future remains largely open." But the openness of the future largely depends upon the nature of the explanation one provides to account for woman's present estate.

[16]I wish to thank Michael Doyle, Abigail Erdmann, Sanford Levinson, Susan Okin, and the editors of *Dissent* for their helpful comments. □



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Serge Thion

# Africa: War and Revolution

## I: Revolution in Mozambique

It is a little too easy to take the speeches and proclamations of African leaders for gospel truth. When somewhere, in one of those old colonial cities lost in the African bush, a political party all of a sudden declares it is "Marxist-Leninist," international public opinion pretends to believe in the transmutation. Some people bemoan it, some rejoice, but, generally they prefer to accept the wordplay rather than weigh the social realities it ill conceals.

Mozambique, a land long colonized by the Portuguese, appears on the list of countries that have achieved their revolution, with the attributes that go with it: mass meetings; a single party in "the van of the peasant-worker alliance"; wide-spread politicization, often called "consciousness-raising"; predominance of the state structure; and intensification of a collective work effort.

Quite a few people in Europe and Africa consider Mozambique a revolutionary success story. President Samora Machel's speeches receive slowly rising quotations on the revolutionary theoreticians' stock exchange. We have known enough other examples of these infatuations in which the political intelligentsia is prone to see what it searches for: a rhetoric and a system of symbols that fortify its orthodoxies.

In Mozambique, the seizure of power by revolutionaries who had propelled the movement of armed struggle against the colonial presence was accomplished in two phases: April 25, 1974 saw the collapse of the Salazar regime and opened a transition period long enough for the Fremlino (Liberation Front of Mozambique) gradually to take over the levers of command. Independence was proclaimed on June 25, 1975.

In Maputo, the capital of the country, there are now fewer cars; the hot harbor streets are deserted; luxury shops display a few job-lot styles, but in front of the doors of the new cooperative stores, the *lojas do povo,* there are long lines of housewives. It is not that goods are in short supply but that the shops are irregularly stocked, for the distribution system is fairly chaotic. Private merchandise stalls, often run by Indians, are better supplied but more expensive.

In December 1977, a huge popular celebration was held in Maputo to mark the completion of the electoral process. In every locality, people had come together to elect the members of their local popular assembly. Before casting their ballots under the vigilant eye of the Party, they were called upon to denounce all those voters or candidates who had a murky past or known vices or propensities for corruption. Such black sheep were thereupon ignominiously turned out. These edifying psychodramas, "oriented" (that is the official term) by the Fremlino party, were intended to secure the masses' ratification of the regime. At the grass roots, the questioning did not lack liveliness. The elected candidate would have a small role to play in the management of local affairs. Also, they would constitute the pond from which the higher echelons would be fished, including members of the National Assembly, itself little more than a rubber-stamp body. This democratic choice, which became a sham as



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soon as one moved higher up in the hierarchy, completed the installation of the new government, which is called "popular" or even "government of the worker-people."

The great celebration took place in Town Hall Square (Place de l'Hôtel-de-Ville). Several thousand turned out to admire folk dances, sports demonstrations, a drum-and-bugle band, some karate-trained policemen and, above all, President Samora, who came to shake hands with the successful candidates. Young and jovial, he moved quickly into the crowd. Until then it had not stirred, but now it was aquiver as the President distributed smiles and handshakes. He seized the loudspeaker, reeled off a few slogans, sang a song or two, and, in high glee, disappeared to the relief of his bodyguard.

A seemingly banal scene, and one that could take place almost anywhere on the continent. Its context, however, gave it a special resonance. What had happened in this immense savannah, on the shores of which for many years Lusitanian navigators had put in only to take water and trade a bit? Except for the rich valley of the Zambezi, where in the 18th century they established a kind of feudal system, the Portuguese did not occupy the bulk, the interior, of the territory until the late 19th century. Lacking the proper means themselves, they granted the right to exploit the best land to international companies or impecunious little colons. For the rest, the country was a realm of the slave trade, then of the head tax and forced labor. The infrastructure was embryonic; the local society remained unchanged, worn down by corvées and taxes. Many men had to leave for the South African goldmines.

THE NATIONALIST UPRISING that was readying itself in the 1960s had its origins in the African lower-middle class, which had worked for the colonizers, and in peasants' memories of wars of resistance the tribes had waged when the Portuguese first were establishing themselves in the country. The international situation in the '60s favored the formation of a liberation front. It took the Fremlino several years to emerge from its internal crises, its military inexperience, and its failure to recognize back-country realities. But by around 1971 the Front began to make real military progress in the field.

This was to be a people's war, since the recipe had proved successful elsewhere. The mobilization of peasant communities provided a fresh élan, with one clear objective: the Portuguese must get out. When the heavenly surprise of the Lisbon coup occurred, the Fremlino came to power on a flying carpet. That is scarcely a metaphor, for despite all the progress the party had made, it was very far from being rooted everywhere in the country.

To proclaim a people's republic, to transform a liberation front into a Marxist-Leninist party, was a matter of words and nothing more. In reality, the colonial administrative apparatus passed into the hands of a small group that was united ideologically but did not represent much socially. The peasantry was clamoring for nothing but an end to forced labor and taxes. Businessmen wanted to get rich, and the workers wanted to break their employers' game while doubling their own wages. There was a great influx of people into government work; the departure of the Portuguese opened the way to promotions or new careers for the recent products of the last governors' educational efforts.

Everything has been gradually falling into place. Mozambican society has reacted indolently, as if relieved by this unexpected alleviation of its situation. The revolution is not being effected overtly in the social body; it will be bestowed upon the country by a good government that is mindful of morality and economic efficiency.

The peasants, who have traditionally lived in a widely dispersed habitat, are being urged to gather together in communal villages (*aldeais comunais)*, where collective labor will subsidize the establishment of the village, its social services and, above all, an improvement in the standard of living. The experiment has been launched blindly, with no analysis whatever of peasant realities, and was initially carried out among displaced person, former war refugees, and flood victims.



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For the rest, one notices considerable passivity and even traces of distrust among the peasants, who have not been overwhelmed by the change in the color of their rulers' skin. Indeed, officials and Party members have flowed into the mold of the old provincial bureaucracy with disconcerting ease. Their good conscience gives the measure of what can be granted by a government without means, in which everything is decided at the highest level by a select group of some 15 persons. These are highly regarded people, known for their honesty and devotion. They do everything; they supply the guidelines for all problems, travel everywhere to explain them, and personally keep tabs on how they are being applied. Such are the virtues of a centralism that is called democratic only because its benefits should, in principle, embrace the entire population.

IN A COUNTRY where a modern economy has functioned unevenly, the differentiation among classes continues to be embryonic, having scarcely evolved beyond the familiar matrix of peasant self-sufficiency and the extended kinship network. In its ever more simplified version, *socialismo cientifico* is reduced to economic moralizing. The situation is not too promising: the countryside is not feeding the city, which still depends almost entirely on foreign sources. (This country, where 85 percent of the population are peasants, was obliged recently to import meat from Peru!) The government is incurring short-term debts, and one does not see how it can set aside the surplus needed for capital investments from the labor of a cautious and notably unproductive peasantry or from a microscopic working class, which continues to be, in the main, integrated into the economic apparatus of South Africa. A rosy future lies ahead for foreign aid.

So far, beyond a rhetoric replete with good intentions, the regime, authoritarian as it may be, does not impose itself brutally and is not known to have carried out any bloody purges. In Africa today that makes it something of an exception. Of course, notorious opponents and those who yearn for the good old colonial days run every chance of finding themselves in a reeducation center, where they will be joined by dishonest judges and pimps. But for a country that aims to be revolutionary, and has a war in progress on one of its frontiers, the atmosphere is relaxed. After all, if the revolution must come from above, it will take some time to arrive; meanwhile life goes on.

## II: Southern Africa— Waiting for the Implosion

A revolutionary state at the gate of the white man's bastion! Is tension mounting? Are there troop movements along the frontiers between Mozambique and South Africa? Yes and no. Strategists on both sides have made the most prudent calculations.

On the South African side, the vexation of seeing "reds" set themselves up five hours away by car from the industrial heart that the Witwatersrand constitutes could be eased by the awareness of the enormous difference in military potential. Despite the siren songs that have issued from various business quarters, no one in the government has wanted to attempt an easy military adventure. Pretoria, the capitol, behaves as if nothing has happened in Mozambique: it has kept to the agreements relative to the railways and the supplying of electricity from the Cahora Bassa dam, and it continues to export equipment and food to Mozambique. In Maputo, one can still meet South African technicians and businessmen. They are well placed to measure how dependent the Mozambican economy is, and what profits can be derived from it. The South Africans, then, are practicing their commercial wiles without military threats or political relations. As in their relations with other African countries, everything must be tacit.

The Mozambicans, for their part, have developed a policy of abstention. One denounces apartheid but abstains from speaking of commercial relations. One abstains from furnishing South African



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militants any opportunities whatever for hostile moves. Above all, one abstains from establishing a military force that would antagonize one's formidable neighbor. Obviously, this is the realistic course to follow. Mozambiques's extreme destitution and the drop in production, caused by the departure of the Portuguese, certainly do not permit it to expose itself to the risk of a confrontation with the most powerful industrial nation in all of Africa—a nation that, furthermore, has been preparing for war for 15 years. What makes a war improbable today is the disproportion in strength; outside interventions might alter the situation, but Maputo seems not to want anything of the sort.

### Whites and Blacks in South Africa

TO COME from Mozambique, or from the verdant plateaus and neglected small cities of Rhodesia, to South Africa's great mining metropolis of Johannesburg, with its American-style ways, is like a change of continents. Here one quickly understands that the fate of the rural subcolony that is Rhodesia is secondary. Here, in Johannesburg, is where the historic and economic thrust operates; this is the center where the power deploys its techniques and works its will. The rest is peripheral. It now is a hundred years ago that international capitalism began to invest in South Africa, and the result is evident: it has adapted perfectly to the old master/slave-relationship system, established by Dutch colonists in the 17th and 18th centuries, and from that it draws quick and substantial profits.

The Africans have consistently made their dissent clear. Localized wars in the 19th century were followed by political demands and, in 1912, the creation of the African National Congress. (An ANC delegation went to Versailles in 1918, but obviously was not heard.) This petitioning organization provided the urban lower middle classes and the peasant leaders with an outlet for voicing grievances. Boer nationalists took care to dismantle the ANC when they came to power in 1948. Channels of communication between whites and blacks were systematically reduced.

The one alternative to total submissiveness was, then, the riot, and those responsible for public order hopefully awaited just that. It is a classic scenario: each new generation has a "right" to its moment of psychological liberation, which is immediately followed by a brutal repression calculated to discourage the rioters from commencing afresh. The last such riot took place in Sharpeville, in 1960. And then, in June 1976, the rules of the game were not respected. Clubbings produced at least 40 fatalities, but they did not convince those who had survived the clubbings. A creeping rebellion has continued to manifest itself among young people in the black townships. As happened in the big strikes in Natal in 1973, the government has had to limit its use of force and to make concessions to the Africans. In substance, the concessions are not of capital importance, but the fact that they are made is important: no longer can the government gain anything from the outbreak of a "racial riot"; on the contrary, it fears it is no longer able to maintain control. Despite an enormous buildup, the repressive apparatus has been only moderately useful in coping with the new problems posed by the progressive integration of a large number of African workers into a more modern and complex production apparatus.

As recently as 20 years ago, one could still fire into a crowd of strikers, and the next day the rural unemployed would appear to replace missing workers. Today, the color bar has been raised—often unobtrusively—by several rungs of the labor hierarchy in several areas of work.

If the repressive forces that now exist are employed in line with the principles that underlay their reinforcement—i.e., preparing for the final confrontation—there is the risk that, sector by sector, a creeping paralysis will take over an economy that is less primitive, having been developed over the intervening two decades. This is why the demonstrations in Soweto marked an advance, even if for the



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moment the movement seems to have exhausted almost all its potentialities.

The crucial problem that the Africans must resolve is this: what organization must they establish for themselves in order to convert potential strength into effective strength? Their traditional spokesman, the ANC, has disappeared under blows that have brought exile and deportation. Small clandestine groups formed to carry out economic sabotage have been promptly balked by the highly skilled police. What is left is the bitterness of exile, nourished by the trickle of clandestine emigrés. In Botswana, for example, there are four to five hundred youthful moving spirits of the Soweto movement.

The ANCs operations abroad do not present a very bright picture. A small clique of bureaucrats, corroded by internal quarrels, rules over camps in which hundreds of militants dream of fighting, although the last word on this score hardly lies with them. The leaders in exile have believed their best move would be to play the card of their "natural allies," the Soviet-Cubans, who so unexpectedly settled the Angola problem and who will do as much, they hope, for the South African problem, with little cost to the liberation movement. In the main, the conduct of these "natural allies" is prompted by the small group that constitutes the South African Communist party, also in exile.

The South African CP is the oldest on the continent, but it has never succeeded in gaining a real foothold among Africans or even in recruiting members among the working class. It has faithfully followed all the shifts in Soviet policy and, lacking its own means for action, believes that by brushing aside the ANC it may acquire a mass movement that it can use.

The South African CP has always experienced severe theoretical difficulties in its analysis of the local situation, especially since the white workers at Rand rose up, in 1922, to defend racial barriers in employment. There is a strong worker component in South African racist extremism—rather as in Nazism and Fascism—and the CP has had to indulge in some veritable contortions in order to elaborate a theory of a "colonialism of a special kind." Today it is true that these fine constructions are crumbling to make way, among British and South African Marxists, for a blooming of hyper-Maoist or neo-Althusserian analyses. . . .

During the last 15 years, the ANC's work abroad, presided over by Oliver Tambo, has confined itself to a kind of diplomatic lobbying. No serious political work has been done within the country, where the name of the ANC is no more than a dim memory. Recent movements that have crystallized the resentment of inhabitants of the segregated ghettoes—the Black Consciousness Movement, the Black People's Convention, the South African Students' Association—have been based on the assumption that nothing was to be hoped for from any form of coexistence with whites. Worried critics see this as a frustrated lower-middle-class response verging more or less on racism. And they deduce that these people are incapable of managing the revolution. Or is it a question of *their* revolution?

The most embittered and rebellious groups are those that are most closely integrated into the urban economy and best placed to profit from privileges that are grudgingly conceded to them in dribblets. Their more or less exacerbated nationalism puts them in line with what the ANC stood for until it was suppressed. On the agenda, and with good reason, is a bourgeois revolution. This nationalist group still has to consolidate its ties with other social groups—the métis, the Indians, unionized labor, and the peasant and tribal leaders on the Reserves. They have to follow the path laid out by the Zulu leader Gatsha Buthelezi, who shows them how one can play with existing structures, coalesce forces, put the government on the defensive. This causes much grinding of teeth among those who have been waiting for the proletariat to arrive and what arrives instead is a gentleman with an English education, a member of a royal family, a man who talks with the government, with Tambo, Andrew Young, with tribal chiefs and labor leaders and students.



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It is clear that only the international community—and above all, the United States and Western Europe—has the means to make Pretoria yield. These powers will bring themselves to take extreme measures only if the South African economy threatens to sink into chaos or to come under the authority of Eastern Europe. The latter, however, no doubt considering the situation a bigger bite than they could chew, have always evidenced extreme moderation, not to say passivity.

It took Pretoria a while to understand that in the matter of policy the Americans had merely brave words to offer. Its anxiety allayed, the regime has again seized the initiative, returning to its old games—domestic repression and diplomatic overtures to Africa, without many positive results. The century-old structure, which is based on racial discrimination, survives intact. It will not change because a few public benches have been repainted or a flag is given to a few creatures of the Bureau of Bantu Affairs. There is still a lot of money to be made in South Africa, and the big foreign firms are not about to deprive themselves of it. When enough blood flows to make profit rates drop, we may bet that our good fairies will hover attentively over the problem.

## III: The Horn of Africa, or, the Muddle

The events that continue to unfold in the Horn of Africa are becoming part of contemporary political mythology, witness such signs as sensational headlines like "RED TERROR," "A NEW CAMBODIA," "A NEW VIETNAM FOR THE SOVIETS," and "AFRICA'S BIGGEST WAR." Articles dealing with the Horn are unanimous in finding that the conflicts developing there and the confrontations that ensue are "absurd" and "incomprehensible." Insofar as Ethiopia is achieving the status of a mythical country, the painful complexity of its political problems becomes more and more elusive. I should like to clarify somewhat this muddle of wars and revolutions.

The simplest method is to examine in succession the three conflicts that, although continuous, differ in nature: the war in Ogaden and the Somali-Ethiopian confrontation; the Eritrean question; the domestic political struggles within Ethiopia.

### The Strange Conflict in the Ogaden: Somalis, Ethiopians, and Others

AFTER AN INTENSIVE preparation by the guerrillas of the WSLF (the Western Somali Liberation Front), the Somalian army invaded the Ogaden and, almost without striking a blow, seized Jijiga, cut off the Franco-Ethiopian railway, and struck at the defenses of Harer. The government in Mogadisho (capital of Somalia) initially refused to admit that its troops had penetrated a territory so ardently claimed. The word "annexation" was carefully avoided, and nothing was said about the status Mogadisho would like eventually to be assigned. But the moment Ethiopian troops mounted a counter-offensive, Mogadisho protested the threat this posed to Somalian territory.

As in Maputo, Addis Ababa, and Aden, national policy in Mogadisho is conducted in the name of "scientific socialism." Although the Somalian "Socialist" experiment is little known abroad, it does have its heralds and admirers. It is worth the trouble of taking a closer look at the Somalian situation.

The parliamentary regime established by the Italians at the time of Somalian independence, in 1960, had risked a military confrontation in the Ogaden in 1964. Ethiopia, armed by the U.S. had been restrained by African diplomacies from punishing Somalia too severely. Somalia thereupon asked the Soviets for military aid, and sent its young officers to be trained in Eastern Europe. In 1969 these officers, dissatisfied with parliamentary intrigue and corruption, seized power. One year later, General Mohammed Siad Barre, president of



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the Supreme Revolutionary Council, declared: "We solemnly and resolutely proclaim this to be a Socialist state." And repeatedly thereafter he undertook to explain that this was not a matter of some local variation but of "true" socialism.

Given the composition of the Somalia's population—two-thirds, if not more, being nomads, the rest divided between small farmers and tradesmen, with a thin middle-class layer left behind by the colonial ebb—there was only one solution: to *teach* socialism, since it was unknown in the country. Courses and seminars in political doctrine were multiplied feverishly. A special camp was opened where all government employees had to undergo instruction. Officers and young intellectuals who had rubbed shoulders with the Italian CP during their studies in Italy ensured the "correct" ideological direction. There was a great explosion of speeches, decrees, and campaigns offering guidelines and explications. Some bold theoretical detours also were necessary to justify the strangeness of the situation; for example, it was explained that in certain circumstances the army could, by transmutation, become the avant-garde of a proletariat that did not yet exist! It was also necessary to display prudence in matters concerning the status of women and Islam. To reassure religious circles, Somalia went so far as to join the Arab League, of which it was the sole non-Arab member. Also, in the course of a brief campaign, the misdeeds of tribalism were denounced, but quite quickly the government confined itself to forbidding any reference even to the existence of tribes.

Boosters of the regime fell into the trap of these fine speeches. By invoking the need for "concrete analysis," they became divorced from reality. One can certainly credit them with a new efficiency in government—which was demonstrated during the emergency-aid operations on behalf of nomads threatened by the 1975-76 drought—and with launching the transcription into the Latin alphabet of the heretofore unwritten Cushitic language. Although there are still very few Somali books to be found in Mogadisho bookstores, this is a development of considerable importance. As for the rest, the economy has shown modest progress. The principal item of export continues to be livestock to Saudi Arabia (62 percent); as of 1975, the wage-earning class included only 21,000 persons out of a population of 3 to 4 million; the 1974-78 development program estimated foreign financing at 76 percent; the cost of living has risen steeply (in 1973-75, at a rate of 20 percent per year); and the national exchequer is certainly in no condition to finance a prolonged war.

Socialist rhetoric is conspicuously unsuccessful in gaining any hold on a society that is dominated by a clan, pastoral, and traditional mentality. Circumcision and infibulation of women continues, as in the past, but no one speaks about it. The powerful northern and central tribes tolerate a regime that is in the hands of persons from tribes of inferior rank because the nationalist administration insures the income of the big stockbreeders. Some degree of modernization is possible if it does not upset the basic channels of nomad trading and the hierarchy of clan prestige. Appearances to the contrary, the junta exercises only uncertain power. It is not sure of surviving a defeat that would appear too humiliating in a desert world that prizes above all warlike virtues and its own savage poetry.

IN THIS CONTEXT, what is there to the Somali claim on the Ogaden?

The claim is based—according to the official line—on an incredible series of historical falsifications. It is useful, therefore, to restate several facts: Whereas Ethiopia is the product of the almost bimillenary evolution of a state, the Somalis appeared in history only toward the 16th century, in the form of a small tribal federation formed in the back country behind Berbera. This group dispatched a few contingents to join in the assault that the great conqueror Ahmad Gran was launching against the high plateaus in Ethiopia. So the Somalis appeared at a very recent date in history, according to the currently available documentation, as the last



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emanantion of a broth of nomadic culture that had already given rise to the Galla and Afar tribes. Up to that point, what is today Somali territory seems to have been inhabited chiefly by Galla shepherds and Bantu-speaking farmer-hunters, who were celebrated in Muslim chronicles under the name of Zendj. There were also, perhaps, some proto-Somali or Somali groups there as well. "Somalization" is without question more a cultural than a truly demographic phenomenon. An active Arab and Persian commerce had developed along the coast in ancient times. Apart from Ethiopian products in transit, the region exported incense, myrrh, and Bantu slaves.

For reasons that are far from having been clarified, the Somali tribes evidenced a remarkable dynamism, which led to an unbounded expansionism. They drove a part of the Galla to the south and to the west; they enslaved the laggards and the cultivators who had settled in the valleys of the great Shebelle and Juba rivers. Once dominated, these people were soon linguistically and culturally assimilated. They formed the bulk of the lineages and tribes of inferior status; Islam was also a homogenizing force. Constantly on the move, the Somali tribes jostled one another and fought over springs and pasturage. They reached the Juba toward the end of the last century, then, in small detachments, descended toward what today is northeastern Kenya, pushing the Galla and Bantu ever westward. The Somali also infiltrated coastal cities—Mogadisho and Brava; Zeila and Djibouti in the French Territory of the Afars and Issas—where they soon constituted a majority. This expansionist movement contiues today; it is noticeable in Kenya; it has been evidenced by the territorial claims of the young Somali state; and it has taken concrete form in the two wars over the Ogaden. In this connection, it should be noted that in the region of Harer and in southern Ethiopia, Mogadisho is claiming territory that has not yet been Somali-ized but where the Galla, who inhabit it, are hard put to it to contain the pressure of tribes coming from the desert.

This expansion was concomitant with the appearance of the European maritime powers, which—after quarreling over the coastal ports—set about gaining a foothold in the hinterland. The old feudal Ethiopian empire, already rocked by domestic quarrels, struggled, fought, and temporized in turn, seeking to divide the foreign powers that encircled it. To save its independence—and it was the only independent state in Africa—it made concessions and allowed the French, Italians, and British to take over its coast and control its mountain passes.

The duplicity of the Europeans knew no limits, but the Ethiopian aristocrats had a long experience in statecraft, war, and diplomacy. They managed to save what was essential, and even to reoccupy some southern areas over which they had lost control after the great Galla invasions. Here they introduced some political practices that today would elicit cries of colonialism. There was a self-seeking confusion between a policy of conquest carried out by the Ethiopians (and, in this region, also by the Turks) and the extension of the Ethiopian feudal system that, in very much the same way, was exploiting the whole of Ethiopia to the greatest profit of a managerial class formed, essentially, of Amharas or Amharacized groups.

The Empire had always federated a range of social groups. Nonetheless, there exists a striking community of history and a close relationship in languages and customs. This Horn of Africa has been the living space of a single civilization with internal diversities. Let the traveler's eye bear witness: whether he finds himself in the great markets of Mogadisho or Harer or Addis Ababa or Asmara, he encounters the same people, the same smells, the same gestures, the same faces that are unlike any others in the world. These wars are grievously fratricidal. . . .

The political center of this vast human ensemble has always been what used to be called Abyssinia, and today is known as Ethiopia. The authorities in Mogadisho can turn themselves inside out to prove their country's great antiquity, but prior to 1960 no Somali state had ever existed, which fact does



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not prejudice the legitimacy of the present state. Early in this century, a religious leader, Mohammed Abdullah Hassan, led a long revolt in which thousands of warriors rose up against the foreign presence. Albeit in an archaic form, this uprising was a sign of a nascent nationalism. The British put it down provisionally by using air power, but after 1945 they encouraged Somali nationalism in order to exert pressure on Ethiopia.

IF THE SOMALIS' BRIEF is rather slight, there remain two facts that merit consideration. First, the inhabitants of the Ogaden have unquestionably suffered under the imperial Ethiopian regime from the arrogance and brutality of its administrators. Widespread distrust prevails with regard to everything that comes out of Addis Ababa. Second, the frontier is ridiculous. The nomads move about at the whim of the rains; diplomatic considerations carry little weight when it is a matter of the herds' survival. On the other hand, the Ogaden is a complementary economic area bridging the high plateaus and the coastal region; this is borne out by the numerous caravan routes serving the south of Ethiopia.

The great drought that brought about the fall of the imperial regime also exacerbated latent conflicts between nomads and settled groups. Furthermore, according to recent estimates, the settled groups in the Ogaden outnumber its nomads, and the total population is larger than that of all Somalia. Lack of rain forced the nomads to approach the rivers and to impose their herds on cultivated fields. In the course of the many incidents this provoked, the new Ethiopian authorities seem to have opted to protect the sedentaries. In this flammable situation, irridentist militants coming chiefly from religious and small business milieus found it easy to mobilize the disaffected herdsmen.

Banking on the collapse of the old Empire, the officers in Mogadisho, who had been swearing for eight years that they sought only a peaceful solution, launched their troops in July 1977, thanks to equipment the Soviets had liberally supplied. Their calculations were grossly mistaken, as the Somali leadership recognized by the end of 1977. Their diplomacy was paralyzed; they avoided the total destruction of their army only by precipitate retreat. From that moment, in private the WSLF leaders did not conceal their anxiety, either: they knew that any political or even just a military settlement would be made once again to their detriment. However, a few months later guerrillas seem to have reappeared in small numbers in the Ogaden. Because the Somali irridentists have never been able to emancipate themselves politically from Mogadisho, they no longer have very clear political perspectives. It would seem that they are trying to signal the fact that they exist, but now it is up to the authorities in Addis Ababa to resolve the economic and political problems of the lowlands. No decisive step has yet been taken in this direction.

The Somali junta had played all its cards by turning its alliances around and imperiling its fragile economy. Nonetheless, it survived the debacle, resorting to purges in the army, administration, and university. The junta was unable to prevent the hatching of a military plot, which, however, it foiled on April 9, 1978. The plot had originated among the Mijurtine, a large tribal group in the north. Some public firing-squad executions provisionally brought a respite for President Siad Barre.

No one can say what the state of mind is in the other tribal federations. After the economy's brutal fall, it appears to have stabilized. Soviet relief, both military and economic, is slowly being replaced by Western aid (it was Saudi money that prevented bankruptcy). "Socialist" Somalia heaps opprobium on the Soviets and Cubans. "Anti-imperialist" Somalia begs for arms in Riyadh, from the Saudis.

The junta has made a mistake: had it supported the Ogaden's inhabitants' agitation politically, it could have helped them obtain autonomy from the new Ethiopian regime, which is granting it to numerous regions. The farce of the military disguised as militants has ended, as it always does, in the crash of



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twisted steel and the silence of calcined bodies.

## The Eritrean Question

THE ERITREAN QUESTION is certainly much more complex and painful. Initial responsibility goes back to Italy, which had imposed its presence there at the expense of Ethiopia and counted heavily in the development of the pro-Independence movement. After 1945, when it became clear that they would not return either as colonizers or trustees, the Italians threw in the sponge. Then, the blunders, brutalities, and unkept promises of the Emperor helped to deepen the chasm. Finally, the old regional rivalries in the new guise of pan-Arabism also fanned the flames, without regard for the fate of the Eritreans themselves.

A chance for a negotiated settlement was narrowly missed late in 1974, but extremists on both sides prevailed. The paradox lies in the fact that the political lines of the government in Addis Ababa and of the dominant group in Eritrea, the Eritrean Liberation Front (ELF) are very close, and that on this basis they could collaborate. They are separated only by the question of independence, which to the one side is unacceptable and for the other a prerequisite to discussion. But the division of the Eritreans in two organizations—one revolutionary, the other more conservative and pro-Arab—raises the ante. For some time, the civil war between the two fronts has been in abeyance, but it could resume.

In summer 1978, the Ethiopian army, reorganized and supplied with heavy equipment of Soviet origin, undertook an offensive that aimed at reestablishing a military equilibrium. This could have been judged necessary before discreet pressure from its allies led the Ethiopian government to the negotiating table. Some preliminary discussions did take place in East Berlin. But in the field, the Ethiopian army's successes were quite limited, and its attempt to loosen the ELF's grip on the Massawa and Asmara areas proved fruitless. . . .

One should note that the Eritreans, like the Somalis, may have gambled too much on the disintegration of the Empire and underestimated the ability of Ethiopia to survive amid its own chaos. These overlapping claims of villages and of people clinging to their land has been woven by a long and often violent history. In the communal culture of the Ethiopians there is room for these long interregnums in which the powerful contend with each other and the poor suffer. There will certainly be no lasting settlement in Eritrea that comes from armed force alone.

## The New Ethiopia: Birth Pains

THERE IS NO SCHEME into which one can easily fit the events that have taken place in Ethiopia over the last five years. France in 1789? Russia in 1917? China in the '20s? Such comparisons are not silly, they are merely incomplete. One must bear in mind that Ethiopia is immense, with a wide range of climates, and that it is inhabited by a hundred or so peoples equipped with their own microeconomies yet all steeped in a common civilization. The centralizing traditions of both state and church had, in large measure, to adapt to local particularisms, with institutions of a feudal type serving as go-betweens. This has resulted in an autocracy unevenly modified by local freedoms.

The unbuckling of this decrepit apparatus caused a surge of aspirations for such local freedoms and called the legality of the traditional authorities into question. Latent conflicts between the small and more or less enclosed rural societies broke out into the open. In other words, the question of power was reopened in a dual sense—with respect to the central government and also to the management of local affairs. This gives events in Ethiopia the dimensions of a genuine social revolution. The solutions that have been



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applied to these crises have varied greatly from one place to another, since there was no preexisting political uniformity. Nor is anyone in a position to impose it today.

More concretely, the future of the Ethiopian revolution is at stake in the peasant committees. The committees are elected by the farmers (farm hands seem to have been excluded); they assume all governmental powers—all local administrative, judicial, and police functions—as well as the management of the local economy. They are in touch with the central government—the Dergue (Military Committee)—and with its administration through the intermediary representatives in their respective provinces. These peasant committees are structured in relation to local problems, and do not all have the same composition. Internal conflicts among different levels of the peasantry are often of importance; in some cases, the poorest peasants are dominant, while in others the well-to-do farmers hold the reins. Sometimes there is the palpable influence of former landowners who have taken refuge in the city, or of parties that, like the Ethiopian People's Revolutionary party (PRP), are leading a fight to the death against the regime. The situation is far from stable; political upsets occur, either because the leadership of a committee suffers a political setback, or power relations in the region change, or the Dergue intervenes to cause the imprisonment or liquidation of persons who have fallen under its suspicion.

THE PRESENT GOVERNMENT, directed by the Dergue, has played the committee-autonomy card (within certain limits) and also the provincial-autonomy card because it recognizes that here is the source of its power. This autonomy may extend as far as some degree of opposition or, let's say, the refusal to enforce certain measures that have been decided upon in Addis Ababa. For example, one sees large areas in the northern part of the country refusing to put through the agrarian reform because it would challenge traditional patterns of small land tenure. It seems that the Dergue is not pressing to impose a solution that nonetheless it finds preferable to the status quo. It is up to the peasant collectivity to find a political and economic solution that simultaneously conforms to the revolutionary principles now operative and to conditions bequeathed by the past.

The regime, which unquestionably has its authoritarian and bureaucratic aspects, must make a show of tolerance in the face of the eclectic positions taken by the peasant committees if it wishes to secure their political and even military support in the struggles that go on in the cities and in the corridors of government. These struggles draw the attention of foreign observers. They are more spectacular, which is to say bloodier, and they perhaps conform more to the notion one has of a struggle for power among parties; but they are less important to the evolution of the country than what is happening in the countryside. That is where one finds the only true revolution, the burial of a very old feudal agrarian world. It is precisely because the Ethiopian peasantry is not being led by a party or any group that would try to take over or dress it up in some hypothetical avant-gardism that the peasants have some small chance of making a revolution that will be their own. But what it will be when a new order is established no one can foresee.

The central government will have its influence on the countryside, and this the ideologues of all persuasions have very well understood. Coming from student milieus actively opposed to the former regime, various little Marxist groups have believed they were invested with the mission of educating and leading the "great masses." Differences in the way they analyze the situation, the nature of the Dergue, the linkage of tactical phases, and the status of the class struggle are not very great, but they have led these groups into ferocious confrontations. Two among them, at least—the EPRP and the Meisone (Pan-Ethiopian Socialist Movement)—still have some influence, particularly among students.

The EPRP considered the Dergue the political expression of a lower middle class



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that was incapable of bringing the revolution to term—achieving that is, the "dictatorship of the proletariat"—and judged that it would be tempted to appeal to the bureaucracy and the army in order to impose its will on the masses. Accordingly, the EPRP opted for radical opposition, and the Meisone for a tactical support that some of its members challenged in August 1977. The fact remains that these small groups, whether they oppose or rally round the Dergue, manifestly belong to the same social class. People who are outraged—justly—by the physical liquidation of this order of opponent must be reminded that for their part, these same opponents also attempt to liquidate the partisans of the regime, and that their political methods smack unpleasantly of Stalino-Maoism, which no doubt would make their dominion as bloody as the repression they now endure.

Some elements in the Dergue unquestionably favor a very brutal policy. But the Committee is anything but homogeneous, and it is hard to understand why the international press was so prompt to criticize Lieutenant Colonel Mengistu, who is rather to be classed among the moderate elements. The violence of the Dergue's reactions is also to be accounted for by its uncomfortable position: it was born of the army through a rather complex, semidemocratic process; it has been reduced by the liquidation of several of its members; and it has watched the army move gradually away from the revolution, as many officers came to judge revolution incompatible with their middle-class aspirations. Questions of land, of pensions, and of various caste privileges continue to be highly controversial, and several Dergue members who spoke up for the army were liquidated, like Lieutenant Colonel Atnafu in November 1977.

Because of these inner disputes, the Dergue was led to recruit among village militias and to establish a "parallel army" led by a few noncommissioned officers. These hastily recruited troops got themselves butchered in Eritrea, and maneuvered poorly when facing the Somalis, thereby causing the loss of Jijiga. They have since been trained by Cubans. (The African guerrillas are unanimous in saying that the Russians are worthless when it comes to training troops.) The rivalry between the regular and "parallel" Ethiopian armies is deep, which makes combined operations quite problematical. Soviet aid, which is resented by career officers who are quick to criticize both the material and the mentality of their "advisors," is surely intended in part to keep these two forces in hand, and to prevent this or that unit from risking a coup—a possibility that cannot be entirely dismissed.

Developments during 1978 led to a stabilization and an increased centralization of the regime. The opposition of the EPRP and of the Meisone was broken by what their leaders called the "red terror," which then moderated somewhat. However, as a result, there are thousands of political prisoners—according to a Meisone communiqué released in Paris, some 18,000. The machinery of the government seems solidly in the hands of Lieutenant Colonel Mengistu and his close associates in the Dergue.

It was probably inevitable that the role of the state should be reconfirmed, sometimes by violence but also by a rapid change in political or administrative incumbents; at the very least, the stakes are now clear: a Bonapartist regime greedy to control everything—or a crumbling in the face of centrifugal pressures from below.

The crucial question—the same question that has obliged all Communist regimes since 1917 to shackle the peasantry in irons—is agricultural production. On September 12, 1978, during the celebrations of the fourth anniversary of the revolution, Lieutenant Colonel Mengistu underscored the difficulties in supplying the cities with foodstuffs, and attributed them to peasant "individualism" and the inefficiency of the distribution apparatus. The government, he added, would vigorously encourage the collectivization of agriculture. The eternal kulak question looms on the horizon once again. It is clear that the present regime's doctrine can only push it into the worst mistakes. The issue centers on the peasantry's capacity to resist authoritarian measures decreed from on high and also on



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the need to supply an adequate level of provisions for the urban populations. In certain regions, the peasants have built up excessively large food stocks. What will local industry have to offer in exchange? For the moment, not much. It is the same story as that of the Soviet Union in the '20s, whose outcome is well known, but it would be naive to think that the history of one people can offer lessons to another.

No one can say where the Ethiopian revolution is going. From a distance, it is judged in terms of its violent actions, which often are reported in exaggerated ways, and by the presence of Soviet, Cuban, East German, Yemenite, etc. troops. These are secondary considerations. Ethiopia has always rejected foreign influences when they attacked the country's innermost fibres. It seems, furthermore, that Addis Ababa is paying cash for the military equipment coming from Eastern Europe. (Somali arms purchases seem to be financed by Saudi Arabia.) No foreign party can claim to carve out a lasting influence for itself in the country.

As for the Ethiopians, the questions they face present themselves in the context of the political philosophy their long history has produced. Will the government continue to be Amhara—by which I mean a style, not the men of diverse origins who comprise it. Will Mengistu to be a new Theodore, the 19th-century reforming Negus who fell victim to his own policies and to British intervention? Under what form will the old political system return—a pyramid of generation sets here, a kingdom or sultanate there? In the end, who will receive lands that have been the stakes in the struggles—sometimes centuries-old—between neighboring peoples? How will Ethiopia recenter itself? And how is one to raise the peasants' income and get them out of their frightful poverty? These are a few of the questions that are being asked in village squares and along dusty roads, far, far from all the headquarters.

—*Translated from the French by* ADRIENNE FOULKE □


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# Thoughts About Skokie

*During the recent controversy concerning Skokie, we did not print anything on the case. But the issues remain, and touch upon some of the most perplexing problems of democratic politics. We print here the bulk of a letter sent out by David Goldberger, the ACLU lawyer in the case, followed by an answer and comments by a few* Dissent *editors. We would welcome brief comments from readers and brief rebuttals from participants.*
—EDS.

## 1. A Letter to ACLU Members

Dear Friend,

I am the American Civil Liberties Union lawyer who went into court last year to defend freedom of speech in Skokie, Illinois, for a handful of people calling themselves "nazis." The case has had an enormous impact on my life. It has also gravely injured the ACLU financially. I would like to explain why we took the case, and why the ACLU needs your help now.

The case began when the nazis scattered requests to several Chicago suburbs seeking permits to hold a rally in their towns. Skokie was one of those towns. Many of the towns that received the nazis' request just ignored it. Skokie did not. Skokie responded by obtaining a court order banning the rally, and by passing several local laws that in effect prohibited most political rallies, not only the nazis'.

The nazis asked us to defend their right to hold the rally, and to challenge one of the laws prohibiting it. Though I detested their beliefs, I went into court to defend the First Amendment.

I've had a lot of experience with bans on speech like the one in Skokie. I've opposed them when they were used to block civil rights marches, and I've opposed them when they were used to ban antiwar demonstrations. At this very moment, I am representing the Martin Luther King, Jr., Coalition, which has been banned from Marquette Park, a hostile white neighborhood on the southwest side of Chicago, by a law very much like one of the Skokie laws.

But the Skokie case was quite different.

Skokie's population is predominantly Jewish, and includes a large number of concentration camp survivors. To allow people calling themselves nazis to parade in that town seemed to many an agony too much to bear. I share that agony. All of us at the ACLU do. The executive director of the ACLU, Aryeh Neier, is himself a survivor of nazi Germany. He has more reason than most to despise what people calling themselves nazis stand for.

But the nazis are not the real issue. The Skokie laws are the real issue.

Very few people have actually seen the Skokie laws. They do not specifically prohibit nazis from speaking. They don't even mention them. The Skokie laws require *anyone* who wants to speak, parade, or demonstrate to apply first for a permit, and they grant the village officials the power to deny a permit if in *their opinion* the proposed speech portrays a "lack of virtue" in others or "incites hostility." Anyone who wants to speak must also post a $350,000 insurance bond. This requirement applies to everyone, not only the nazis, and since insurance companies rarely will write such insurance, the requirement in effect prohibits everyone's free speech. In fact, *Skokie has already used the very same law to deny the Jewish War Veterans a permit to parade.*

It is crucial that these kinds of laws and requirements be struck down, because there is no



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way to limit them. If they are not struck down, then *towns everywhere will have the legal power to pass identical laws, and to use them to prohibit whatever they believe is offensive.*

Think of such power in the hands of a racist sheriff, or a local police department hostile to antiwar demonstrators, or the wrong kind of president. That is what was at stake in the Skokie case.

Yet many, understandably, did not see it that way. They felt that the nazis' views were so reprehensible that they did not deserve the protection of the Constitution. A few people even made personal threats against me and other members of the ACLU staff.

The effect of all this on the ACLU has been very disturbing to me. Thousands of members have resigned, and its income has plummeted. For the first time in 58 years of serving as a watchdog and enforcer of the Bill of Rights, the ACLU is suffering a decline. All over the country, ACLU offices have had to lay off staff, and financial support for many of its cases is now in jeopardy.

Of the approximately 6,000 cases handled by the ACLU throughout the country, only six—or one-tenth of one percent—are like the Skokie case. But now the others are in danger, too, because there isn't enough money to continue. What do we say to the woman who has been cut off from Medicaid payments for abortion? Or to the parents of a mentally retarded child rotting in a state institution? What do we say to a former government employee whose book on the CIA is being censored? Or to parents and teachers in a high school that has just banned Kurt Vonnegut and Bernard Malamud from its shelves?

Right now, we may have to say no. We can't help. Too many members have stopped contributing.

And what about ACLU's lobbying in Washington? Do you remember S. 1, the notorious revision of the criminal code that we successfully beat back a year ago with our members' help? Now a new bill, improved but with many of the same provisions in it, is about to pass. Do we stop lobbying? We have already cut back substantially, because too many of our members have stopped contributing.

On May 22, 1978, the United States Court of Appeals struck down all three Skokie laws including the $350,000 insurance requirement. A short time later the United States Supreme Court refused a request to bar the Skokie demonstration. We were relieved that the citizens of Skokie were spared yet another reminder of the horrors that nazism represents. The nazis chose to rally in Chicago when the ACLU persuaded the U.S. District Court to overrule the Chicago Park District's opposition.

The ACLU is now on the edge of a precipice, and it needs your hand. We are currently making long-range plans for rebuilding our financial strength, but meanwhile we must survive this crisis. . . .

DAVID GOLDBERGER □

## 2. An Answer:

Dear Mr. Goldberger:

In your moving letter you ask me to resume my previous contributions to the ACLU. I would love to do that since I have always felt that your work is necessary and useful. But I still take exception to the argument that originally led to the disaffection of many members and that, unfortunately, your letter reiterates—in my opinion, a narrowly formalistic and dogmatic interpreation of "civil rights." I challenged your judgment that the Skokie ordinance constituted a civil-rights case that should concern the ACLU. Had the Nazis been denied the right to speak, to assemble peaceably, to demonstrate? They were simply asked to march where they would not provoke a brawl. When the authors of the Constitution gave us civil rights, they meant to make sure that any minority could hope to become a majority: but how many Jews in Skokie did the Nazis hope to convert to their cause by marching in uniform? The First Amendment contains no language permitting anybody to march in uniform and to provoke or intimidate other citizens. If the Nazis can persuade a judge that there is no other way to exercise what they call "free speech," let them try—but not with the help of an organization I support, or with my money.

I do not question the principle that even enemies of the Constitution should enjoy its protection. But I disagree with your motto, *Fiat justitia et pereat mundus*: The Nazis must have what they claim as their civil rights even if that means for other citizens that they must go without the protection of the law.

Had the Nazis been unable to plead their case in



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court, it would have been our duty to see that they have that right. But, fortunately, this right is so secure that they don't have to fight for it. They have it. However, this right is purely formal: we owe due process even to our enemies. Beyond that they entered a plea of *substance:* that their intention was not to provoke but to speak peacefully. Whether this was true or a lie, I submit, was for the judge to decide, and I saw no reason for me to associate myself with that plea. The city of Skokie asked them to post bond in case there should be trouble. Even if that order of the city of Skokie was in error, the question was not whether civil rights were being denied but whether a provocation was intended and how a street brawl should be prevented. Apparently the Nazis did not have enough brainpower to confuse and pervert these issues; to do that they needed a Jewish lawyer who may have wished sincerely to show the world how democrats lean over backward. Who needs that? Why make civil-rights martyrs out of Nazis? For that is precisely what the ACLU's action did, an action that your letter still defends.

Dear Mr. Goldberger, let's not be masochists, either as Jews or as democrats. I think that, unlike Aryeh Neier, who was brought to this country at a very young age, I have had some experience with Nazi tactics. I have seen the Nazis conquer street after street by using just such provocations—proving in each case how utterly helpless a formal democracy is to protect peaceful citizens, making a mockery of civil rights by using them to deny their enjoyment to others, shaking honest citizens' belief that persuasion consists in the use of verbal, rational arguments.

I think I know why the American Nazis picked Skokie, of all places, to demonstrate. Not because they expected to have a little fun seeing scared Jewish faces; but precisely because they hoped to prove through their action that democracy does not work for those whom it promises to make free. The Weimar Republic fell because it allowed its enemies to exercise terror in the streets and to explode the fundamental modes of democratic procedure in politics. Fortunately, the United States is better protected; some people are prepared to hit back. But is a democratic government obliged to let street battles decide whether it will be allowed to continue existing? Is a democratic government obliged to let the Nazis decide when and where such battles are to be fought?

You define freedom formalistically and dogmatically as the right of every scoundrel to insult us and to lead us by the nose. When we try to contain and canalize the forces of our destruction, you raise the specter of total suppression of all free speech. This is nonsense—one does not get cancer from smoking one cigarette. In your anxiety to protect a *form*—which might be emptied through misuse—you neglect the *substance* of democracy which must be defended at all costs. Fortunately, the German Federal Republic is less squeamish than the Weimar Republic was about the misuse of civil rights and is cracking down on the Neo-Nazis.

I agree that in general it is better to err on the liberal side than to risk the erosion of freedom. Better let one criminal go free than risk the liberty of all innocents. Yes; but is it also better to let one gang usurp power than to suffer the pangs of conscience over an alleged suppression of its freedom of speech? A democracy must take certain risks, and I would support the right to *advocate* the abolition of the Constitution. But I cannot concede the right to abolish it through action, to undermine it through provocations designed to bring it into disrepute. In defense of its institutions and of its people a democracy must occasionally also take a risk in the other direction: the risk that some liberals see suppression of civil rights where there is prudent (even if perhaps erroneous) defense of the democratic order. One must defend the substance, not the form of democracy.

Your letter was accompanied by the reproduction of a cartoon showing judges who hold their noses but accord justice to those who produce the bad odor. Yes: let justice be done; but, first of all, let's not clothe the malodorous crowd in the garb of martyrdom for civil rights. You prejudge the case by turning the question upside down. First we have to ask whether this is indeed a civil-rights question. The question is not whether these people stink but whether, perhaps, they deliberately produced the stench for a criminal purpose.

You still seem to think that Nazis are just crazy people. Recently one of your ACLU lawyers argued on Public Television that the conditions at Texas State Penitentiary resembled those of a Nazi concentration camp. Imagine the inmates of Auschwitz hiring a lawyer to defend their civil rights, suing the government, and talking on public TV to plead their case! Admittedly, I am quite ignorant about American prisons; but you cannot expect me to support an organization whose lawyers don't know the difference between a state of law and a gangster state.

HENRY PACHTER □



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## 3. Cynthia Fuchs Epstein Comments:

The Skokie case needs sorting; its laws are a mixed bag. There is a difference between banning speeches that exhibit a "lack of virtue" and those that "incite hostility." ACLU lawyers with whom I have discussed the Skokie case have argued that all speech, except that which presents a "clear and present danger," should be fiercely defended under the guarantees of the First Amendment, to insure a free society.

But a society always needs to consider when the rights of some infringe on the freedoms of others. **There is probably no such thing as freedom for all.** "Right to lifers" today vie with people who feel it is every woman's right to choose whether or not to have a child. "Right to work" laws were used to undermine the rights of labor to strike. The ACLU has exercised a bias in favor of some of these rights rather than others, as it does now.

Recent racial confrontations in Great Britain pose an instructive example that moves the discussion of rights, freedoms, and the notion of "clear and present danger" from the conceptual to a flesh-and-blood issue. Great Britain's National Front party has expressed its antagonisms to non-white immigrants vociferously in speeches and demonstrations. For many, their activities recall the parades of Nazis in the '30s in Brick Lane, London, which led to outbreaks of violence. For Americans who argue that the tragedy suffered by Jews, Catholics, Communists, Socialists, and Gypsies under the rule of Germany's Nazis "couldn't happen here," England is a good example of what *can* happen since it is a society generally characterized by restraint. Violence in Britain against non-whites caused the killing of several blacks and of a ten-year-old Bengali child, and numerous firebombings of businesses owned by West Indians. Things have been bad even if they haven't met the threat of British MP Enoch Powell that "rivers of blood" would flow if immigration were not restrained. Bands of toughs today roam streets where non-white English subjects have chosen to make their homes, and schoolchildren and men and women going off to work in the mornings and coming home in the afternoons live in fear of beatings and possible death.

Fair-minded Britains have been concerned. The National Front party was tiny; it is now larger. What to do? The British response is to permit the party to exist. However, the Race Relations Act was passed, which specifies that speech may not be inflammatory. Do the fair-minded feel this is directing England on a course toward repression? If we Americans haven't seen evidence of violence resulting from inflammatory speech should we be complacent? Can we not protect people *before* they are hurt, or protect them from hurts that are not immediately obvious?

I think the ACLU made a poor judgment in defending the rights of the "wrong side." Others do. The ACLU does depend for a good part of its contributions on those who have particular reason to find the Nazi messages offensive and frightening. If the ACLU were in Britain, would they feel comfortable soliciting money from the Bengalis and West Indians to overturn the Race Relations Act?

The ACLU has a wonderful track record, but it is not infallible. Let it reconsider its priorities and be more responsive to supporters and membership. Many would still contribute to the organization if they could have the choice of refusing to support those few percent of ACLU "clients" whose causes contradict their sense of justice. □

## 4. Rose Laub Coser Comments:

I have been torn both ways on the Skokie issue. To be sure, the First Amendment was not meant to protect provocateurs. It was not even meant to permit insult or abuse, or even lack of courtesy. Yet, there are other ways of preventing these inroads into human decency than the writing of laws that would legally restrict the right to speak or to assemble.

I think that Henry Pachter is unfair in his argument. I have no evidence of the ACLU defining freedom "as the right of every scoundrel to insult us and to lead us by the nose," nor of the ACLU (or Mr. Goldberger) seeming to "think that Nazis are just crazy people."

Henry Pachter thinks that "we owe due process *even* to our enemies" (emphasis added). What a



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curious way of putting the matter! At the risk of belaboring the obvious, let me just recall Rosa Luxemburg's statement that "freedom is always and exclusively freedom for the one who thinks differently."

If I agree with the view that the Nazis have criminal purposes, I should not forget that the law must protect criminals, not only nice people like us, and that the criminals' civil rights have to be respected. To attack this principle is to lay the groundwork for legitimizing McCarthyism. It is these civil rights, grounded in the Constitution, that make it possible, in Pachter's example, for prisoners to hire lawyers, to defend their rights, and to sue the government when the internal conditions of a prison resemble those of a concentration camp.

Pachter marvels at the fact that "Recently one of [the] ACLU lawyers argued on Public Television that the conditions at Texas State Penitentiary resembled those of a Nazi concentration camp." He implies that this cannot possibly be so, since one cannot "imagine the inmates of Auschwitz hiring a lawyer to defend their civil rights, suing the government, and talking on public TV to plead their case!"

The fact that prisoners have constitutional rights does not *ipso facto* guarantee that within the prison their rights will not be violated. Pachter assumes a unity within a society that seldom exists in a democracy. It is very possible that inside an institution like a prison civil rights are being violated to such an extent that conditions resemble those of a concentration camp—yet still the constitution also makes it possible to appeal. In other words, to argue the fact that having constitutional rights in itself will guarantee the adequacy of institutional arrangements is conceptually similar to an apparently opposite statement, namely that ours must be a fascist society since some of its institutions foster conditions that remind us of fascism. Both these statements fail to recognize the fundamental principle of a democracy in which there is more than one center of control.

I agree with Pachter on one thing: one does not get cancer from smoking one cigarette. I wish to use this argument in favor of the ACLU position: we do not encourage fascism when we allow fascists to demonstrate, provided they do so peacefully and in respect of the law. We do, however, endanger freedom of association and demonstration for ourselves if we allow laws on the books that deny such freedoms.

The question comes down to the old familiar one: whether means justify the end, or whether they determine the end. I think the latter: if we provide mechanisms for the abrogation of the civil liberties of our enemies, we have no recourse if the latter were powerful or numerous enough to use these mechanisms against us.

Nor do I think it helps the argument if we panic each time we are reminded of the horrors we have experienced in the past. I believe that the Nazi regime in Germany was due not to too much democracy, but rather to too little. The Weimar Republic gave no effective constitutional protection, and civil liberties were only selectively granted. And there was no Civil Liberties Union to act as the people's watchdog! This is why I believe that the ACLU is an investment in our future. □

## 5. Two Cents More:

Still not being clear in my mind about the issues raised by David Goldberger, I say nothing about them. But there is another issue raised here that seems to me important. Suppose, for the sake of the argument, that one disagrees strongly with the ACLU position on Skokie: is that a sufficient reason to refuse to support or join it? I think not. There is a strong "sectarian" tendency in American politics these days, which takes the form of "one-issue" politics. You agree almost entirely with a liberal candidate, say, but you dislike his position on abortion or environment; bang, you vote for his opponent. Thereby you've made your "point," and everyone suffers the consequences. Similarly, with the ACLU. The overwhelming bulk of what the ACLU does in this country is very good, even though some of us may have reservations about the "politicized" course that it took under Aryeh Neier's leadership. Consequently, it's important to keep supporting such an organization, even if with a disclaimer on Skokie, or with an effort internally to change its position. In the long run, this matter may even be more important than Skokie.

IRVING HOWE □



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Burnham P. Beckwith

# On the Right to Suicide by the Dying

Death is not a pleasant subject to talk or write about. For those who are healthy and busy, the mere thought of death is depressing. But all of us must die sometime, and if we wish to die well, we ought to think about death and plan for it long before we must face it. Nearly all deaths are painful, but the amount of pain can be greatly reduced by appropriate personal planning and social reform.

The ideal death is unexpected, quick, and dignified. The man who suffers a heart attack at home with his family and dies immediately is fortunate. He misses the fearful expectation of certain, fast-approaching death, as well as the pain of a fatal illness. And, if such a death comes after a man has raised his family and completed his life's work, it is indeed an ideal death.

But only a very small minority of men and women now living will experience such an ideal death. The great majority will die slowly, consciously, painfully, and expensively, causing much trouble and cost to their families and/or to society. Many will lie in bed for months or years, comatose, paralyzed, and/or in pain. About one-third of all deaths in the U.S. are caused by cancer, an especially painful disease; but many other terminal illnesses also cause great personal suffering and economic cost.

I strongly believe that dying persons should be allowed to end their lives quickly and painlessly whenever they please, and that we should facilitate and applaud such conduct. I do not mean to imply that any aged person who still enjoys life, or prefers a painful slow death to a quick painless one, should be compelled or induced to commit suicide. I merely claim that both the dying who prefer a painless, dignified death by suicide and those who do not should be free to do as they please. Neither group or their supporters should be able to dictate the behavior of those who disagree with them on suicide by the dying.

It will not be enough merely to legalize suicide by the dying. Few persons know how to obtain and use the drugs most suitable for painless and dignified suicide. Hence, nearly all doctors, hospitals, and nursing homes should be required to provide expert information and the best drugs for suicide to all dying patients who need and desire such help. Only those doctors and nurses who have strong moral objections to aiding suicide should be exempted, and all patients should be warned of such exemptions and allowed to have nonexempt doctors and nurses care for them. No doctor or nurse should ever be allowed to deny the privilege of a painless death to any dying person.

If dying patients are to make a wise and timely choice, they must be told that they are dying as soon as this is known. No doctor should encourage a patient to bear intense pain or great expense in the vain or faint hope that recovery is possible. This rule applies especially to the treatment of aged patients, for a mistaken prediction of death does little harm, and perhaps much good, to them.

THERE ARE six major reasons why dying persons should be permitted to shorten their painful lives by suicide and why such suicide is beneficial and praiseworthy.

First and foremost, by timely suicide those dying painfully can end their own suffering immediately. They can avoid most of the useless physical pain and mental strain of a slow death. Such suffering is often intense, unceasing, and prolonged.

Second, suicide may prevent a degrading or even disgusting death. Pain and suffering often result in irrational and/or perverse behavior of which dying persons would be very ashamed if they were their normal selves. And the mere natural course of a fatal disease may turn a dying person into a pitifully emaciated or swollen body, or even into one that is putrid and nauseating. In most cases, only timely suicide or euthanasia can assure a death that is painless and dignified, not profane or obscene.

Third, timely suicide will usually save family and close friends the very unpleasant and depressing experience of watching the slow, painful, and degrading death of someone they care for. Such a death is often more painful for a mate or other relative than for the dying person. If we are considerate of their welfare, we will try to save them this unnecessary trauma.

Fourth, timely suicide by the dying will drastically reduce the often very high cost of dying slowly. Six months in a hospital now cost $20,000 to $100,000. A slow death has forced millions of families into bankruptcy and/or poverty. Parents who spend a lifetime saving to create an estate for their children often dissipate most or all of it by dying slowly and painfully. And those who die at



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public expense waste billions of dollars of public funds badly needed for more productive uses. Americans now spend over $20 billion a year on health care for the dying. If these funds were spent on better health care for pregnant women and for children, they would yield far greater and more lasting benefits.

Fifth, dying persons who commit suicide for the above reasons demonstrate the kind of self-control, logical thinking, and consideration for others that most intelligent people respect and admire. Timely suicide is the most honorable end to the life of anyone not fortunate to die suddenly and unexpectedly. And most persons will soon learn to appreciate and honor those who have benefited their family and nation by rational, timely suicide.

Finally, if we legalize and facilitate timely and painless suicide by the dying, we will not only enable them to gain the benefits described above, but will also enable all people to look forward to death with less fear. A painful death is far more to be feared than a painless one. Many people who die suddenly and almost painlessly have long lived in fear of a painful death. Thus, by legalizing timely suicide by the dying, we would not only greatly benefit those otherwise fated to die slowly and painfully but would also benefit many other persons by reducing their fear of a painful death. We would eliminate most of the reason for fear of death, and free millions of men and women from all fear of a natural death.

Few of the aged want to end their life while it is still useful and/or pleasant. Even those who believe in suicide as a means of avoiding the pain and cost of a slow death tend naturally to postpone suicide until they are bedridden, usually in a hospital, where moralistic and/or law-abiding doctors and nurses take pains to make suicide very difficult if not impossible. And dying, bedridden patients have little energy and initiative left. Therefore, we must change criminal laws and hospital rules to allow the dying to end their suffering and expense easily and quickly whenever they please. Those dying in hospitals or nursing homes should always be free to take a drug that will end their life immediately. And no doctor or nurse should be subject to indictment or civil suit for making such drugs readily available to the dying.

As long as the helpless, bedridden dying are denied the right and opportunity to end their pain and expense, many aged persons will feel compelled to commit suicide before they become helpless and bedridden, even while life is still pleasant, in order to avoid the risk of a slow, painful, degrading, and costly death. Some will jump off tall buildings or bridges, shoot themselves, walk in front of trucks or trains, and use other methods of suicide that shock or endanger other people and leave bloody, mashed, and/or mutilated corpses. A few will be revived, healed, and forced to try suicide again in order to avoid a painful, lingering death.

It may be replied that there are drugs that end pain without ending life. Unfortunately, the dying have often been denied some or all use of such drugs on the ground that they are habit-forming, and adequate use of such drugs merely reduces or prevents pain. It does not reduce or end the high daily cost of dying. It may not even end all pain, and it does not stop the steady physical deterioration and degradation of the body caused by emaciation, swelling, and/or putrefaction, or the mental deterioration induced by continuing brain or nerve damage. Few deaths after such legal drug use can be dignified. Most are demeaning, or even disgusting.

It may also be replied that sleeping pills and other drugs whose use can assure a quick peaceful death are already available to would-be suicides, and that therefore no change in our laws or medical customs is needed. But such drugs are not freely available to dying persons. Their purchase requires a prescription, and doctors try to prevent their purchase and use by would-be suicides. Moreover, few of the aged wish to commit suicide while they are still on their feet. The desire to end one's suffering and one's life usually becomes strong only after one has become bedridden, and by then one cannot purchase such drugs personally. Indeed, one cannot even have them in one's possession in a hospital. Dying patients find it most difficult to obtain and use such drugs just when they are most likely to realize that suicide would greatly benefit them and their families.

There are, of course, some sensitive and kind-hearted doctors who will risk indictment and civil suit to help a patient dying in agony to end such a life by suicide. They resemble the considerate doctors who once performed safe but illegal abortions on desperate unmarried girls. But few dying persons are likely to have such doctors. And those who do are usually reluctant to ask a doctor to risk career and freedom for their sake.

IT MAY BE objected that some dying persons are physically incapable of committing suicide, and that therefore active euthanasia is needed to supplement the legalization of suicide by the dying.



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Euthanasia may be desirable for a few persons who suddenly and unexpectedly become completely paralyzed or irrational while dying, but suicide is always preferable when it is possible. Suicide is a voluntary act. It enables the individual himself to end his own suffering when, and only when, he chooses to do so. And the mere freedom to commit suicide helps him to bear any pain because he knows that he can end it whenever he pleases. Moreover, the act of suicide involves less participation and fewer feelings of doubt or guilt by other persons. It reduces their responsibility, and therefore their self-questioning.

Legalizing active euthanasia will cause some persons to fear that they will be put to sleep prematurely or against their wishes. Legalizing suicide by the dying would not have this undesirable effect. Hence, it should be easier to persuade voters to legalize such suicide than to persuade them to legalize active euthanasia for the dying.

Finally, it may be objected that suicide is always immoral. Moral claims are prejudices that can't be proven or disproven. We can prove that suicide is sometimes harmful and sometimes beneficial, but not that it is moral or immoral.

Some religious conservatives argue that human life is sacred or divinely ordained, and that therefore all taking of life, even suicide by the dying, is morally wrong. But these same persons approve of killing in war or in the execution of criminals. And a very few centuries ago most Christians approved the public execution by burning of witches and heretics. Since opinions as to what is sacred are so changeable, they cannot be treated as sound arguments against suicide by the dying.

Religious persons who believe that all suicide is sinful should be free to die a painful death. But they are arrogant and cruel when they use the law to compel other men to die a painful death against their will. And they surely violate Christian doctrines concerning the virtues of charity and mercy.

Let me emphasize that I am only demanding free choice for the dying. It is paradoxical but true that those conservatives who claim to support freedom of choice most vigorously are those who are most likely to deny freedom of choice on the most vital personal problems of conduct such as the question of suicide by the dying. But it is precisely in such personal matters that free choice is most desired and most beneficial.

Legalizing and facilitating suicide by the aged would increase the freedom of every individual. Public restriction of personal freedom is justified only in the case of acts that are clearly harmful to the public. Since the peaceful suicide of a dying person does not harm society, society has no reason to restrict such freedom to commit suicide. □

Ben Yagoda

## Lifestyle, Then and Now

I recently learned of the existence of the Lifestyle Market. I had sensed it was there, of course, but not as so formalized an entity. What the Lifestyle Market is, according to "Lifestyle Notebook," a supplement to a recent issue of *Casual Living: The Magazine of Leisure Products,* is people who buy "lifestyle furniture"—a product that is "affordable, mobile, and above all, fashionable." The members of the Lifestyle Market are "more mobile and not so totally committed to one home location. Their relationships are not necessarily 'forever'. . . . " "Lifestyle Notebook" tells us, "so why should their furniture be?"

What does lifestyle furniture look like? "Lifestyle Notebook" helpfully provides sketches of typical examples, complete with captions: "Hanging Plants," "Chrome and Canvas," "Tasteful Dining," "Space Savers," "Super Wall Shelves," "Natural Sofas," "Lovely Palm," "Lots of Surfaces," "Modular Walls," "Pillow Seating." Lifestyle merchandise can be, says Gerald C. Stephany of Loeb's in Lafayette, Indiana, "a viable separate entity within an entire store."

It seems to me that when the term "lifestyle" first entered the lexicon, some nine or ten years ago, it was a noun that needed to be modified. One could have a mellow lifestyle, a macrobiotic lifestyle, a bisexual lifestyle, or whatever. Now, though, it looks as if lifestyle has become an adjective, referring to the accoutrements of a particular group of people—the grown-up babies of the boom, now straddling 30, affluent, geographically and socially mobile, ready to invest heavily in hanging plants. What gives?



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Actually, the semantic transformation has not been all that drastic. For even when lifestyle didn't appear to have a specific meaning, it was rarely, if ever, used by or about, say, coal miners in Appalachia, welfare mothers in Harlem, or, for that matter, Republicans in Orange County.

Since the demise of the '60s, the people who used to talk about lifestyle have had a change of life. They not only have softened their perceptions somewhat over the years, but have started to make more money. Yet they are understandably reluctant to relinquish some of the more appealing of their youthful ways—in particular, the casualness and "naturalness" that marked the last decade and appears to be its main legacy. The furniture industry, meanwhile, in the best American tradition of capitalizing on the changing economic weather, has turned them into the Lifestyle Market.

That at least some of them have accepted this role with gusto (and that more than simply furniture is involved) is suggested by *Playboy* magazine's recent promotional campaign. *Playboy*'s ads introduce us to a series of its readers, and come to the not very surprising conclusion that the men who buy the magazine also buy a lot of other things. But what is particularly interesting about the campaign is its ad-man's view of the social rumblings of the last decade and a half, and how astute that view is.

Turning to the last page of the *New York Times'* Living Section (the *Times'* counterpart, by the way, to supplements called "Lifestyle" by a host of other papers) one Wednesday, for example, we were told:

> You remember how it was. In the '60s.
>
> Long hair, faded jeans and two for the road on a stripped-down bike. Or two dozen for light housekeeping in a crowded van. . . .
>
> They didn't get caught up in the headlines of the day, because they didn't read the media of the day.
>
> What they were caught up in, of course, was their own thing.
>
> Which meant renouncing nearly everything material. Some hell of a market, huh?

We were then presented, in contrast to this bleak landscape, with the good news that "Today's young men are no longer committed to poverty," and the incarnation of this happy truth, one Dawson Wallace. Mr. Wallace (photographed surrounded by gourmet food and cookware, a glass of wine in his hand and a self-satisfied yet somehow melancholy smile on his face) and his "life-embracing" generation have, we were informed, "kept the best of the '60s, leavened it with their own maturity and invented a whole new thing for the '70s." We were then told what the whole new thing was:

> Long hair. Now stylishly long. Moving toward short.
>
> Faded jeans. Now prefaded and with a designer name at $40 a pair. Leather boots. *Soft* leather boots.

(To which might have been added: Stereos. Cross-country ski equipment. Imported wine. Sports cars. And all the other perquisites of a nonfamilial, consumption-oriented, lifestyle lifestyle.)

Dawson Wallace and his colleagues, in short, "may well be the most vibrant group of prospects American business has been blessed with since the post-World War II generation."

The movement from counterculture to lifestyle, it seems clear, involves a retention of form and a discarding of content: Whatever principles underlay the disruptions of the '60s are long gone, but a residue of altered behavior patterns lingers on. Lifestylers wear their designer jeans, listen to rock music (if only the "natural sound"), know how to make a bunch of meatless meals, and occasionally make a trip to the recycling center. Yet they might well wonder why. Measuring out their lives with hanging plants, they have become consumers with a vengeance. And American business has, as usual, had the last laugh. □

Harrell Rodgers

## Head Start—Where Are the Headlines Now?

In the early 1960s, American political leaders were looking for a panacea, a quick, easy solution for the embarrassing, even dangerous, problems of poverty, hunger, malnutrition, and explosive political alienation. Head Start was the perfect cure. It was relatively noncontroversial, it was inexpensive, and it did not threaten traditional bases of political power. Launched in 1965, Head Start was broadly designed to improve the conceptual, perceptive,



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and verbal skills of poor children, to increase their sense of dignity and self-worth, expand their curiosity, help them develop self-discipline, provide them with medical and dental care, and to develop in poor children and their parents a responsible attitude toward society. Initially, the program was designed to serve 100,000 children during the summer of 1965. Enthusiasm was so high that 561,359 were enrolled, many in hastily assembled programs.

The initial enthusiasm for the program continued for several years. By 1969, however, the first evaluations of the educational impact of Head Start began to appear. Most of the studies did not show the major impact on children that had been anticipated. Some of the initial expectations had been optimistic to say the least, especially that three to four years of educational neglect could be compensated for in only one or two eight-week summer terms. The studies showed that the physical conditions of Head Start children tended to be considerably better than that of children from similar backgrounds who had not been in the program, but educational gains tended to be small, especially for children who had not participated in year-round programs. The most critical of the studies, known as the Westinghouse Report, showed worthwhile gains for students in full-year programs but only minor gains from the eight-week program, which tended to fade as the child completed the first two years of public school.

While the Westinghouse study was considered controversial from the beginning because of dissention within the research staff over some of the assumptions the research was based on and because of methodological problems involved, the negative findings were basically accepted at face value and cost Head Start much of its support in Congress. In the fiscal years 1975-77, Head Start served only 349,000 children yearly, over 200,000 fewer than during its first year of operation.

WHILE LITTLE HERALDED, studies in recent years have shown that the Head Start program has improved considerably. Education experts credit the improvements to experience-related innovations in teaching techniques in Head Start programs, and to the development of more sophisticated methodologies of measuring program impact.

A recent symposium sponsored by the American Association for the Advancement of Science, which evaluated 96 longitudinal studies of Head Start participants, reported particularly encouraging results. All of the 96 studies showed that Head Start has significant positive impact on children. As Bernard Brown of the Office of Child Development concluded, the studies provide "compelling evidence that early intervention works, that the adverse impact of a poverty environment on children can be overcome by appropriate treatment."

The studies showed that Head Start is very successful in cutting down the rate of school failure, in improving IQ scores and reading achievement, and in helping children gain self-confidence. The studies showed that major educational gains do not generally fade out, and that there were even "sleeper effects" that surfaced several years after the program and helped Head Start recipients become more academically competent even into the junior high-school years. The earlier and the more exposure children had to Head Start, the greater the gains they tended to make and maintain. Typical of program impact were those reported for the Nashville Early Training Program:

> At the end of third grade, 92 percent of the program children were receiving passing grades while only 60 percent of control children were. Twenty-six percent of program children were at or above their expected grade level, compared with 8 percent for the control group. Only 3 percent of the program children had fallen more than a year and a half below grade level, compared with 32 percent of control children. Children in the program were consistently superior to children in the control group in grades in reading, arithmetic, and language ability. On achievement tests in reading, arithmetic, and language, more than half the program children scored at or above their expected level; less than 20 percent of the control group did so.

These highly positive results suggest the great value of preschool programs as a method of combating poverty. However, as we know, bad news about social programs is generally trumpeted in the media and in political circles while good news is ignored, even suppressed. The heavy emphasis on social-welfare program failure or limitations provide legislators with a rationale for skimping on program-funding or allowing programs to die. But despite the fact that social programs are rarely designed or funded at a level that would allow a thorough attack on social ills, many have very important positive impacts. For example, the Food Stamp program has greatly reduced hunger and malnutrition in America; job-training programs have a solid record of helping individuals learn employment skills (they cannot, however, expand



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the job market); Medicaid has significantly reduced infant mortality among poor recipients; Social Security has greatly reduced poverty among the aged, widowed, and disabled, and has allowed millions of citizens to retire with greater comfort and security. Even highly flawed and severely underfunded programs such as AFDC significantly reduce the number of families who fall below the government's poverty threshold (in reality, of course, they may still be poor). Plotnick and Skidmore's research showed that in 1972 welfare expenditures reduced the poverty population from 39.5 million to 23 million (a 44 percent reduction). Thus, success for social welfare is not unusual, it is just not emphasized.

The lack of emphasis on the success of Head Start programs has allowed funding to remain very modest. During the fiscal years 1975-77 an average of $429.2 million per year was spent on Head Start, with only 349,000 students per year served. By law 90 percent of all students in Head Start programs must be from poverty families, and 10 percent must be children with handicaps. If the unlikely assumption is made that all the students enrolled in Head Start in recent years were from poverty families, only 15 percent of all those students qualified for Head Start by their family's income have been served.

Like federally aided day-care programs, which serve only a little over a million children a year, Head Start could be a critical component of any strategy designed to alleviate poverty and help parents (mostly mothers) enter job-training, educational programs, or the job market. In 1976 there was an average of 7.9 million children in families that received Aid to Families with Dependent Children (AFDC), some 10 million children in families below the poverty level, and 26 million children with working mothers. Clearly, the scope of existing programs is much too modest. **Total federal funding for day-care aid, Head** Start, and other programs to help educationally needy children was only $1.8 billion in 1976. A five-fold increase in funding would be a major step toward alleviating poverty, and it would help millions of adults to realize their potential. □

## Notes

[1]Bernard Brown, "Long-Term Gains from Early Intervention: An Overview of Current Research."
[2]Barbara Dillion Goodson and Robert D. Hess [Nashville Early Training Program], "The Effects of Parent Training Programs on Child Performance and Parent Behavior," p. 23.
[3]Ada Jo Mann, Adele Harrell, Maure Hunt, Jr. "A Review of Head Start Research since 1969."

All three papers were presented at the 1977 annual meeting of the American Association for the Advancement of Science, Denver, Colorado, February 23, 1977.
[4]Robert D. Plotnick and Felicity Skidmore, *Progress Against Poverty: A Review of the 1964-1974 Decade* (New York: Academic Press, 1975), p. 51. □


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Stanley Hoffmann

# Daniel Moynihan: A Dangerous Man?

A DANGEROUS PLACE, by Daniel Patrick Moynihan, with Suzanne Weaver.
Boston: Atlantic-Little, Brown. 297 pp. $12.50.

This is Daniel Patrick Moynihan's account of his brief and stormy period of service as American ambassador at the United Nations in 1975-76. Moynihan had been a very quiet ambassador in Indira Gandhi's India. Shortly after his return to the U.S., early in 1975, he published his famous *Commentary* essay on the "U.S. in opposition," which described the appearance of a new "party," the Third World, in world politics, ascribed its socialist rhetoric to the influence of the London School of Economics, and proposed that the U.S. move, as he put it, "from apology to opposition," to fighting not only for the imperative of growth—best achieved through capitalist free enterprise—but above all for its political tradition of individual liberty. Kissinger told Moynihan that the piece had made him feel that he suddenly "understood what was going on out there" and regret that he hadn't written it himself; in early March, he appointed Moynihan to the UN job (which Moynihan had declined in 1970, at the time of Cambodia). Ten months later, when James Reston published a column, which stated that Ford and Kissinger supported Moynihan in public but deplored him in private, he resigned and returned—not for long—to Harvard. In November 1976 he was elected Senator of New York.

This, he says, is a book about ideas. To be sure, it tries hard, and I will come to them. But above all it is an ego trip, and a settlement of accounts. The former Ambassador celebrates his performance in the heroic mode. He is not hampered by modesty: "not until it was over did it turn out that we had changed the language of American foreign policy" ("I" turns to "we" in the last part of the book). When his former colleague James Q. Wilson in November 1975 (after the British ambassador to the UN had publicly denounced Moynihan's style) tried to dissuade him from resigning and told him that if he left, "the President would lose the most hopeful and popular turn in our foreign policy in a decade, possibly in a generation," Moynihan approved. And he gets even with those who had opposed either him or his views in a series of thumbnail sketches, some of which are close to character assassinations. If the settlement of accounts is usually brutal or contemptuous (Moynihan rarely attributes sound motives or good faith to his adversaries), it is muffled and inconclusive in the case of Kissinger. Like so many others (including this reviewer), Moynihan was fascinated by the dexterity, the energy, the political incisiveness of Kissinger. But he also, page after page, throws digs at his duplicity, at his way of undercutting rivals, at his incessant maneuvering. It was a difficult relationship. Moynihan is nowhere more witty than when he compares the somewhat abrasive style of McGeorge Bundy (who "did not become Secretary of State") with Kissinger's way of disarming critics by proclaiming their "object to be his very own" and by charming them into helping him against their common enemies. He says that he admired and liked Kissinger; yet "I was not his inferior and I knew that also"; and knowing his boss's fondness for tricks, he always suspected that attacks on him had been inspired by Kissinger.

Retrospective reflexion is, however, not



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Moynihan's forte: nowhere does he ask himself why Kissinger appointed him. He seems (for once) to accept at face value Kissinger's profession of agreement with the themes and program of "the U.S. in opposition." But he never examines an alternative hypothesis—that Kissinger who by March 1975 had concluded that the U.S. actually had to accommodate, not confront, the Third World, and who was in the process of changing America's political stance and economic policies toward developing countries, may have wanted to cover his domestic flank and to conceal his retreat by having a vocal defender of America's values at the UN; and that this calculation failed because Moynihan took his job so seriously and made such a splash that the tactical sideshow threatened to destroy the main strategy. Kissinger, for once, had been too clever by half. And Moynihan, not so exceptionally, had been naive enough to believe that he had been given full freedom and a major piece of the action. If one could look at the episode wholly as comedy, one would conclude that it is the story of two dupes—Moynihan fooled by Kissinger, and Kissinger outmaneuvered by himself.

Behind the bitchy wit and the overblown self-praise of a man still smarting from many wounds, there is a serious issue. Moynihan is correct in stating that his style and rhetoric "had spirit." And this is precisely why the book, and the author, must be taken seriously. The world is indeed, as he puts it, a dangerous place. But his response is even more dangerous, both at the level of political tactics and the level of national attitudes and emotions.

Moynihan's biggest battle, at the UN, was against the preposterous anti-Zionist resolution that denounced Zionism as a form of racism. He is quite right in his indignation, and in his critique of ritual anti-Americanism among Third World countries, many of which depend on American aid and protection. Nor is he wrong when he points out that many of the supporters of the resolution are violators of human rights. But his own furious response (which his British counterpart, Ivor Richard, compared to Wyatt Earp and the OK Corral) was triply unwise, however much it may have made American onlookers feel better.

First, he constantly overestimated the importance of the UN in world affairs. (He predicted that the passage of the infamous resolution, or a U.S. veto of the admission of Vietnam and North Korea, would lead to Israel's expulsion; he even suggests that an obscure Indian resolution had led to the October 1973 war in the Middle East.) UN debates, especially at the General Assembly, are mostly symbolic, and Assembly alignments are often gross distortions not only of the realities of power but of political or economic alignments in the "real" world outside. Symbolism is not unimportant; but to act as if the UN were the main arena of world affairs—to believe, for instance, that a Security Council resolution introduced by the U.S. could have driven the Cubans out of Africa—is a remarkable mix of naiveté and self-importance. To sanction (by cuts in aid, for instance) states that actively oppose American policies may be a fine Machiavellian tactic; to do so just because of these states' votes in the UN is to overreact.

Second, Moynihan's preference that the UN be an instrument of and for democracies, as against the principle of universality, misreads both the origins and purpose of the UN. That purpose is, quite simply, to allow for the peaceful coexistence and cooperation of states with different regimes, levels of development, and ideologies. This does not mean abandoning efforts to promote human rights or one's conviction about the virtues and advantages of free government. But to use the UN as an instrument of ideological warfare is to do precisely what Moynihan rightly accuses the Soviets and the Third World of doing: it is to misuse the UN.

Surely, his supporters would reply, the U.S. has a right to retaliate, and should not always be condemned to the defensive. But Moynihan's third error was to go on the defensive by stressing all the time the moral superiority of the U.S. and the internal vices of its opponents. The purpose of maneuver and offensive is to win, or, at least, to limit damage. And Moynihan's style of attack was bound to maximize the damage (as when, at an AFL-CIO convention, he mistakenly said that Idi Amin's presiding over the Organization of African Unity was not a coincidence, or when he denounced sponsors of resolutions calling for the liberation of political prisoners in South Africa and Chile—for which, incidentally, the U.S. had voted). For by proclaiming, in effect, that whoever was not with us was against us, and therefore an enemy of free government, he was acting out a self-fulfilling prophecy. He pushed into anti-American stands Third World delegates irritated by his scorn and schoolmasterish style, and he profoundly irritated some of America's allies, such as the West Europeans, who were not going to follow him on a course of collision and defeat. The real issue was less whether to "raise the roof" against blatant assaults on common decency, than whether to do so by insulting others—at a time when America,



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barely out of Vietnam and having not yet reversed its "tar baby" policy in Rhodesia and its soft approach to South Africa, was not exactly in the best position to lecture others. If the purpose was to break the common front of the Third World and the Communists, as Kissinger, according to Moynihan, wanted to do, then Moynihan's tactics were thoroughly counterproductive. When defeat is likely, especially on minor issues, it is best not to exaggerate its importance; and it is best not to use methods that will make it more likely.

THE SIGNIFICANCE of Moynihan's confrontational style is, however, much greater than is suggested by these UN battles. For it rests on a wrong analysis of world affairs and expresses an attitude that is as widespread as it is pernicious. Moynihan not only tends to see the Third World as much more of a monolith than it really is (and tends not to see that his tactics could have made it into one). He also throws around, loosely and constantly, the word "totalitarian," as a way of describing all the imperfect regimes that dare oppose us: Algeria and Tanzania, for instance. As a result, world affairs come to be described as a battle between the forces of liberty (which, in the vote on the anti-Zionism resolution, included Nicaragua and Uruguay) and those of totalitarianism (which, in the same vote, included such U.S. allies as Turkey and Iran). This is false, since among Moynihan's "totalitarians" there is a bewildering variety of regimes ranging from flawed to pure evil. It is also a perfect recipe for despair, since the "forces of liberty" are obviously not a majority. If all those who have nondemocratic regimes were our foes, we would be in far more serious trouble than we are; and if only the pure and the good were worthy of being our allies, we would have to shed many of our clients.

But this is not what Moynihan advocates, because of his other oversimplifications and misreadings: like so many Americans in search of simple grids and in love with a devil theory of international affairs, Moynihan sees the Russians as master schemers who manipulate the whole show (he even suspects them of having inspired a rumor about his senatorial ambitions!). Thus, he believes that they (not the Arabs) organized the anti-Zionist campaign. He writes that Angola meant the beginning of "recolonization" (he blames Kissinger for having tried to deal with that crisis through a combination of covert action and attempted bargaining with Moscow; he would have preferred overt action, pure and simple: "I want to attack Russians," he told President Ford). It is, according to him, the Russians who unwittingly destroy Lebanon, "through the Syrians and the PLO." In an extraordinary passage, he says: "If anyone in the Department of State ever bothered to wonder why we were defeated in Vietnam, it was not likely he would think back to Picasso's dove and wonder whether the world had not been carefully prepared for our defeat, made to want it so much that we ought never to have gone near the place." Global conspiracy, not political analysis, is what Moynihan offers us.

IF INDEED the U.S. is an oasis of freedom surrounded by totalitarians whom Moscow controls, how bleak is our situation! There is a strange masochism in this view (as there is in that of Moynihan's allies on the Committee on the Present Danger, who believe that we are already paralyzed by the vulnerability of our land-based missiles in the 1980s!). But for Moynihan, the masochists are his critics (he quotes at length Kenneth Thompson's excellent demolition of his policy, but dismisses most of it as "intellectually disgraceful"). This is because he believes in salvation through "will"—the very stance that made us leap into the Vietnam fire. (His own position on Vietnam is singularly obscure: he says he opposed the war, but reserves some of his sharpest attacks for its critics). Whoever disagrees with his analysis and style is seen as wanting to accommodate the Soviets or as having been drained of energy: for instance, the State Department bureaucracy, the foreign policy elite demoralized by Vietnam, and even Henry Kissinger whenever he fails to support Moynihan's suggestions for grand counteroffensives on the UN battlefields: "Kissinger was exhausted and everyone else was afraid." Fear and guilt feelings have brought the establishment to its knees, and the same failure of nerve marks the Carter administration—only labor is still upright. As if nerve and will were substitutes for policy, or for judgment! When the quest for energy becomes its goal, when any attempt at self-criticism becomes a stigma of weakness, one ends with this paradox: an ex-liberal, a self-proclaimed champion of free government like Moynihan prefers William Safire (whose President has been disgraced and who therefore has "nothing left to conceal, little to protect") to Anthony Lewis, obsessed by the thought of the evils perpetrated under "his ideal of political leaders," the Kennedys: "he had not come to terms with this, and it had blocked the best part of him as a writer."

This abstract call for resolve and firmness, which



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has a touch more of d'Annunzio in it than of Churchill, would be easier to dismiss if it did not appeal so strongly to two kinds of Americans—and if it did not show how easy it is to bring those two together. It appeals to the simple nationalists, who like to boast of American power, to dismiss lesser states as irrelevant nuisances, to demand obedience from allies, and to teach "lessons" to the Soviet challenger. It also appeals to frustrated Wilsonians, who believe that America's mission is the promotion of democratic ideals and human rights abroad. What Moynihan shows is how close Wilsonian idealism can be to jingoism. Indeed, as many non-Americans have suspected, it *is* a form of jingoism: the form that sees America's superiority in America's values, and defines manifest destiny in terms of Wilson's Fourteen Points.

It is not surprising, then, that the kind of human rights policy pursued by Carter gets slapped down by Moynihan, for it is neither assertive nor combative enough for his taste. Idealism becomes jingoistic especially when it identifies, and focuses on, a single enemy—in the current case, the Soviet Union. At this point, some of the idealism gets sacrificed to the needs of battle. (Moynihan notes that American human rights policies today are causing difficulties for "non-Communist but equally non-democratic nations, some of which could fairly be counted American allies": after all, then, whoever is with us cannot be bad, and we should concentrate our antitotalitarian fervor mostly on our main foe. . . .) At this very point, the jingoism of embattled virtue meets the jingoism of American power. Moynihan speaks the language of both: "we are the most powerful culture in the world, I felt; we must somehow get our nerve back." But he also describes his role as having put an end to the long period of containment, "when American values had appeared secondary in importance to American power." Never mind the intellectual contradictions and inconsistencies, or Moynihan's unawareness of the tension between human rights and the anti-Soviet imperative. It is the convergence that is important, and the sense of frustration that underlies it.

To both the neo-Darwinians and to the embattled Wilsonians, the national celebrators and the missionaries of American ideals, cold-war Democrats and hard-line Republicans, the last years have been frightening: defeats and a relative decline of American power abroad, the challenge of oil sheiks and Third World radicals, domestic turmoil, the disappointments of internal reform, the rise of minorities that have refused the traditional ways of individual ascent, wide abuses of executive power, inflation—all of this has led to a kind of fundamentalist reaction. It takes the form of conservative retrenchment at home, and of a new paranoia toward the outside world—a bizarre mix of an assault on government inside and a desire for displays of power and toughness abroad. Not only is the mélange contradictory: each ingredient is likely to make things worse. And who can be a better champion of this mood than a man who went from Kennedy to Nixon and Ford, from the attempt to promote civil rights to the politics of *Commentary*, and whose way of looking at the world offers an intellectually simple and emotionally rich fare to people scared by complexity, uncertainty, and the appearance of American retreat? □

J. B. Schneewind

## What Can We Make of Sociobiology?

ON HUMAN NATURE, by Edward O. Wilson. Cambridge, Mass.: Harvard University Press. xii + 260 pp. $12.50

Wilson describes his much discussed new book as a speculative essay in defense of scientific materialism or "the new naturalism." At the core of his view is "the evolutionary epic." Everything in the universe, the mind included, evolved into its present condition. Humans are nothing but physicobiological entities with brains composed of ten billion nerve cells. It follows, Wilson says without further ado, that we are faced with two "dilemmas." The first is that "we have no particular place to go. The species lacks any goal external to its own biological nature." Even if mankind can avoid destroying itself by war or exhausting its resources on gadgets, the species will be left without "transcendental goals." The second dilem-



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ma is that we must choose "among the ethical premises inherent in man's biological nature." Evolution has left us with "innate censors and motivators." Science will soon enable us to understand them in detail. Then we will have to decide which should be obeyed and which should be "curtailed or sublimated."

Up to now transcendental goals have been provided by religious myths. Marxism tried to provide an alternative but it failed, since it ignored biology. It has now hardened into untestable dogma. Intellectuals have sought a variety of other substitutes for religion. But ignorance of science prevails among intellectuals, particularly among those who write for the *New York Review, Commentary, Daedalus,* the *New Republic*, the *National Review*, and "other literary journals." So they fail to see that sociobiology will soon explain religion, including dogmatic secular ideologies. Then the power of religion as "an external source of morality" will vanish, and the choice of values will be unavoidable. Science, having caused the problem, will solve it. It will create, for the first time, an objective basis for the choice. It will also furnish a myth that will capture the imagination, stimulate literature, and give coherence to our feelings. The evolutionary epic, with the mind as hero, will definitely not provide "an alternative form of organized formal religion." But as a myth it will unify our inherited energies, giving us a transcendental and irrational sense of hope for the future. Sociobiology as science will be transformed into sociobiology as life force.

These modest claims are sketched in nine relatively brief chapters. The first raises the problems. The next three give a condensed and untechnical outline of Wilson's particular view of sociobiology. We are then told how the view bears on aggression, sex, altruism, and religion (and incidentally a dozen other topics). Wilson ends with a chapter on "Hope," showing how sociobiology will enable it to spring, if not eternally, at least for a few more evolutionary aeons. The book is strewn with bits and chunks of information, which sometimes distract from the thread of the argument. It is nonetheless pleasant and easy to read. It was meant to be accessible to the general reader, and it is.

WILSON'S CENTRAL IDEA, put very crudely, is this. Heredity determines much of the equipment of each biological individual. What is inherited is the outcome of an enormously long evolutionary process, which has functioned to preserve neither species nor individuals, but genes. Genes build organisms that create further organisms containing replicas of the original genes, and these in turn create further gene-bearing organisms, and so on. External conditions allow only some individuals to survive and reproduce. The genes that have built the best survivor-reproducers are the genes whose replicas are around in the gene pool today. They are the genes determining what we inherit. They determine not only such physical characteristics as eye color and bodily height and shape, but also—and this is Wilson's central point—our behavior.

Wilson is not asserting "single-track" genetic determinism. The genes program us for a variety of responses, and the variety is elicited by the environment. But amidst all the variety there are some basic "behaviors" into which all of us are programmed. Hence "the human mind is not a . . . clean slate." The genetically determined convergence toward common basic behaviors is what Wilson means by human nature.

Much of human nature is the result of brain evolution over hundreds of centuries of prehistory. Hence hunter-gatherer equipment is what we have to see us through the trials of modern civilization. It explains most of our present values. Our civilization itself is to be explained, Wilson holds, primarily by the notion of "hypertrophy," by which he means "the extreme growth of pre-existing structures." Like the little baby teeth that in the elephant grow into tusks, "the basic social responses of the hunter-gatherers have metamorphosed from relatively modest environmental adaptations into unexpectedly elaborate, even monstrous forms in more advanced societies. Yet, the directions this change can take and its final products are constrained by the genetically influenced behavioral predispositions that constituted the earlier, simpler, adaptations. . . ." Some contemporary behaviors barely conceal their "Pleistocene origins"; others, "such as religion and class structure," show gross transmutation. Much work needs to be done to show how these two have sprung from "the hunter-gatherer's repertory." The most extreme instance of hypertrophic behavior, Wilson thinks, is the gathering and sharing of knowledge. He sees knowledge as "the ultimate emancipator" from the bonds of genetic forces, but by itself it will not "alter the main course of history's predictable trajectory." Until such time as we deliberately alter our genes, we must live with "the hard biological substructure" we have inherited.

Wilson's earlier book, *Sociobiology*, was a



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massive compendium of facts about animal behavior, organized around the genetic theory of population biology. It attempted to show in detail that animal behavior reflects the demands made by genes under the pressures imposed by the environment, and that evolution is to be understood in these terms. Wilson also made a number of wide-ranging suggestions about the implications of his "new synthesis" for our understanding of human nature and of morality, religion, and "the humanities." The whole enterprise aroused much interest. The popular press touted Wilson as the latest possessor of the key to the universe. Academics, by contrast, scolded him severely. Technicians in anthropology, sociology, and philosophy told him he hadn't done his homework. Liberals and radicals told him he was a racist, a sexist, and a reactionary capitalist running-dog. Wilson has said that he was astonished by some of these reactions. He thinks of himself as a scientist, not as a popular prophet. He seems to be a moderate liberal. In the present volume he has become cautious. If he has lashed back a few times at his critics, he's also tried to make it clear that sociobiology doesn't have the horrid consequences attributed to it by Science for the People. He defends homosexuals, praises racial diversity, condemns war, and allows for sexual equality and social change. At the same time he obviously has not given up on his initial large claims.

The result is perplexing. Specific data are cited (not always accurately) to prove, or perhaps just to illustrate, what admittedly turn out to be conjectures. Large explanatory propositions are followed by cautious hedging. Drastic pronouncements lead to commonplace moral judgments. At the end we do not know how much of sociobiology is conjecture and how much has solid scientific backing. We do not know how much sociobiology claims to explain in genetic and biological terms, and how much it leaves to the traditional social sciences. We don't know where science guides Wilson's moral and political judgments, and where it is merely bent to accommodate them. After all, if Wilson is correct, then he, like the rest of us, must have a hunter-gatherer brain whose oldest strata dictate his moral feelings. His knowledge can't yet have improved his own hard biological substructure. Perhaps that's why the linkage between his advanced scientific thinking and his conventional moral outlook seems so very unclear.

I DON'T PROPOSE to discuss Wilson's science here. The idea of explaining socially meaningful action as the outcome of mechanistic causal factors is by now quite respectably ancient, and there are quite well-known difficulties with it. Though these have been pointed out to Wilson, he hasn't tried to deal with them. The novelties in the present book are his "applications." Here the difficulties will become apparent to any reader not dazzled by the promise of a do-it-all science.

The chapter on aggression, for instance, opens with the question whether humans are innately aggressive. "The answer to it is yes," Wilson says, with apparent clarity. But then we learn that aggression is not a clear category. According to Wilson it includes defense as well as conquest of territory, struggle for dominance in a social group, sexual aggression (not further defined), "acts of hostility by which weaning is terminated," catching prey, defending oneself against attack, and "moralistic and disciplinary aggression to enforce the rules of society." It is perhaps not surprising that Wilson says "there is no evidence that a widespread unitary aggressive instinct exists."

What then can he mean by saying we are innately aggressive? His nearest approach to a clear answer is this: "Our brains do appear to be programmed to the following extent: we are inclined to partition other people into friends and aliens . . . We tend to fear deeply the actions of strangers and to solve conflict by aggression." But the distinction between friend and alien is largely an environmental and cultural matter. And since "solving conflict by aggression" covers defense as well as attack, and morality as well as crime, it's hard to see how else we could "solve conflict." Wilson's claim reduces to vacuity: we are programmed to tend to do what we actually do. No doubt; and then? Well, says he, we cannot "banish" the "learning rules of violent aggression," which we have inherited from our hunter-gatherer ancestors. "We can only work our way around them." Once we understand that it is genetic factors that make us tend to fight strangers (preach at friends, make love, try to get ahead, wean babies) we can work better for peace. It is good to know that sociobiology allows us to favor peace.

The chapter on sex displays another aspect of Wilson's lack of clarity. Genetic-biological needs both do and do not dictate what we ought to do, or what is permissible. They don't when it comes to the question of sexual equality. They do when it comes to sexual pleasure. First, the question of equality. Sex among mammals is not "designed" solely for reproduction. It creates diversity in the bearers of genes, and hence gives genes a better



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chance of having duplicate successors in the gene pool than they would have if there were less variety in their bearers. Among the diversities thus perpetuated through sex by evolution are the differences between men and women. Men are generally bigger, stronger, and swifter than women. They're also naturally more aggressive and assertive. Cultures have "amplified" these gene-carried differences into universal male dominance. But the fact that there is a "slight biological component" to culturally elaborated role differences does not compel us to favor male dominance. It just presents us with an instance of the "second dilemma." We have to decide what to do. "The evidences of biological constraint alone," Wilson remarks, "cannot prescribe an ideal course of action. However, they can help us to define the options and to assess the price of each." This is sensible, although perhaps we didn't need sociobiology to lead us to see it.

But now look at Wilson on sexual pleasure. The Roman Catholic church sees sex as meant only for procreation. Accordingly it condemns masturbation and extramarital sexuality. The church says it is articulating God-given natural laws. Wilson is quite sure that "this theory is in error." Why? Because the laws governing sex are biological, not divine, and point toward "a more liberal sexual morality." Sexual relations function primarily as bonding devices. Therefore, Wilson concludes, any sexual activities—homosexual ones included—are fine, provided they strengthen the kinds of bonds that increase the chances of forwarding copies of one's genes into the future gene pool. Here Wilson is arguing that biological function determines moral permissibility, and that a morality that does not follow the needs of the genes is in error. But in discussing sexual equality, he takes a different line. What then does he really think?

Wilson's basic position seems to be that the needs of the genes should be dominant. A species that has "greater staying power," he remarks at one point, would "in a broad sense" have "the higher morality." More directly, he says that "human behavior is the circuitous technique by which human genetic material has been and will be kept intact. Morality has no other demonstrable ultimate function." Unfortunately, Wilson doesn't tell us why the needs of the genes should wholly determine morality. If it is because nothing else really can determine morality, then our options are far fewer than Wilson himself says they are. If the needs of the genes don't wholly determine morality, we need to hear far more than Wilson says about how, where, and why we are entitled to ignore them. Wilson never discusses these matters explicitly. Yet they are fundamental. For his belief that sociobiology can become a life force depends on his view that forwarding copies of one's genes is a deeply stirring and exciting activity. To me it seems just irrelevant. A life spent helping conscious individuals, a life spent creating art or making scientific discoveries, or just pursuing pleasure, yes; a life functioning solely to create complex chemical molecules like some of those in my body now . . . why? As a vision meant to inspire literature and create a center for our profoundest feelings, this seems to me not even a starter.

WILSON SOMETIMES WRITES as if there's something new and controversial in his assertion that there are inherited limits to human possibilities. "Many of the more traditional Marxists" and a "still surprising proportion of anthropologists and learning theorists" think that human behavior can be "shaped into virtually any form." Wilson therefore sees himself as a hard-headed antiutopian. But I doubt that even a very naive or traditional Marxist would have thought that humans could adopt the social forms of corals or ants or lions. And Wilson simply never shows that hard genetic constraints will prevent us from moving toward forms of social life that any serious thinker has considered desirable. On this matter, the left-wing critics of Wilson as well as Wilson himself have grossly exaggerated the social bearings of sociobiology. There may be new elements in Wilson's theory about the genetic basis of animal behavior, and there may be new evidence connecting our inherited limitations with those of other species. Experts will properly debate these

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issues. For the reader to whom the present volume is directed, however, what matters is not the theory inspiring Wilson's not-so-new naturalism. It is the bearings of that theory on practical concerns. That is what the fuss has been about. The fuss, I think, is out of all proportion to any real implications of the theory. □

Randall Kennedy

# Class and Race in Black America

PROTEST, POLITICS, AND PROSPERITY: BLACK AMERICANS AND WHITE INSTITUTIONS, 1940-1975, by Dorothy K. Newman, William J. Kruvant, Nancy J. Amidei, Barbara L. Carter, Dawn Day, Jack S. Russell. New York: Pantheon. 348 pp. Hardcover, $15.95. Paper, $4.95.

THE DECLINING SIGNIFICANCE OF RACE AND CHANGING INSTITUTIONS, by William Julius Wilson. Chicago: University of Chicago Press. 204 pp., $12.50.

These books address a wide array of topics relating to the changing position of blacks in America. Both acknowledge the importance of the reforms won by the civil rights movement. Both also offer carefully documented indictments of the continuing poverty and discrimination experienced by many black Americans. Dividing the authors is their disagreement over what lies at the root of black woes. Dorothy Newman et al. see the stubborn persistence of white racism as the basic problem. William Julius Wilson contends that now, for the first time, class rather than race is the most important factor determining the life chances of individual blacks. "Many important features of black and white relations in America are not captured," he complains, "when the issue is defined as majority versus minority . . . a preoccupation with race and racial conflict obscures fundamental problems that derive from the intersection of class with race."

THE AUTHORS OF *Protest, Politics, and Prosperity* survey how blacks have fared in job and housing markets, how their health needs have been met, and to what degree social welfare programs have added security to their lives. The book is at its best describing the effects of inequality. Its many tables and charts tell a dismal tale describing the effects of inequality: since 1948, only in four years have the lowest black unemployment rates been lower than the highest unemployment rates among whites. And in 19 of those years black unemployment was over 8 percent, a rate never reached by white workers. Investigating the housing market, Newman et al. found that because of residential segregation the housing dollars of blacks are consistently less able to buy the same amenities as those of similarly situated whites. They found too that substantially higher percentages of black applicants for mortgage loans are rejected than are white applicants on the same financial level.

*Protest, Politics, and Prosperity* reveals that blacks are three times as likely as whites to die from diabetes, four times as likely to die from flu or pneumonia, eleven times as likely to die of hypertension. Black mothers are three times as likely to die in childbirth as white mothers, while black infants are twice as likely to die during their first year of life. The U.S. Civil Rights Commission recently found that in Cleveland black welfare recipients usually received less cash, Food Stamps, and medical benefits than whites with the same need.

Unfortunately, the analytic power of *Protest, Politics, and Prosperity* seldom rivals its descriptive vitality. In their chapter "Learning Without Earning," its authors criticize the "belief that blacks are more likely to be unemployed because they are not 'qualified' for jobs in the American economy and, in particular, not 'qualified' for those jobs resulting from changing technology." They point out, correctly, that educational prerequisites for employment are sometimes more a function of general economic conditions than actual job-related requirements: when labor is short, employers relax hiring standards and when it is plentiful, tighten them.

From this valid base Newman et al. jump to dubious conclusions. They suggest that technological unemployment is a mere ruse, an excuse not to hire blacks. They also declare that "stay in school" campaigns, aimed mostly at black teenagers, are misdirected ventures, subtle exercises in blaming victims when the real problem is job discrimination. After all, in 1976 black high-



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school graduates had higher unemployment rates than white drop-outs.

The trouble with Newman et al. is that they allow one important fact, the reality of ongoing racial discrimination, to occupy them entirely. The displacement of human labor by automation is not *aimed* specifically at black workers; it is a long-term problem that cannot possibly be understood solely, or even mainly, in terms of racial discrimination. In relative terms, technological unemployment hits blacks hardest, but in absolute terms it hurts more whites than blacks. Furthermore, although it is true that officials and opinion-makers belabor blacks' educational deficiencies while soft-pedaling job discrimination, it is also true, as the authors' own tables show, that the better educated a black becomes the better are his or her employment opportunities. Urging black children to stay in school, then, is not an evasion of responsibility; it is good advice.

The main cause of the analytic fuzziness in *Protest, Politics, and Prosperity* stems from its authors' confusion regarding race and class. Sometimes they lump the two together as if they are synonymous. And even when they seek to differentiate between considerations of race and class they often fail. For instance, in their chapter "Second-class Medicine," they declare that "how blacks are treated by the health care system is not just a function of their being poor." While they do show that blacks, as a group, lag behind whites in medical attention, they fail to prove that this inequality is a result of racial as opposed to class discrimination. "Even in recent years," says Newman, "when public and private insurance plans are available, two to three times as many blacks as white people get their medical care through emergency rooms or clinics." But how does this demonstrate that inferior health care for many blacks is related to their race rather than to their class? That blacks are three times as likely to receive their medical attention in emergency rooms could be due to the fact that blacks are far more likely than whites to be poverty stricken. To have proven their contention, Newman et al. would have had to compare the health services available to whites and blacks of similar class backgrounds. It may well be that there does exist a significant difference between the medical treatments that otherwise equal white and black dollars can buy, a difference rooted in racial discrimination of a kind that exists in housing. The point is not that the authors' claim is necessarily incorrect but that their neglect of critical distinctions prevents them from pursuing an investigation that might have convincingly clarified the issue.

IN HIS sophisticated book, *The Declining Significance of Race,* Wilson addresses what Newman et al. largely ignore: class stratification and subordination. Wilson suggests that the Afro-American experience has involved a shift from racial oppression of all blacks to class subordination for the bottom third. He contends that in the wake of the civil rights movement "the economic and political systems in the U.S. have demonstrated remarkable flexibility in allowing talented blacks to fill positions of prestige and influence at the same time that these systems have shown persistent rigidity in handling the problems of lower-class blacks." To buttress his thesis he argues that during the past two decades a dual job market based on race has been superseded by a segmented labor market based on class, a market in which "blacks are either isolated in non-unionized, low-paying basically undesirable jobs that nobody really wants, or part of the higher paying corporate and government labor market which is protected by strong unions . . . or have rigorous prerequisites that eliminate the poorly trained and educated regardless of race." Hence racial conflict, according to Wilson, has moved from the economic sector, the struggle over jobs, to the sociopolitical front, as seen in increasingly bitter contests involving access to and control of decent housing, public schools, and political power in cities. The basic feature of these latter struggles is that they involve white and black city-locked "have-nots," since white and black "haves" avoid the storm, protected by salaries that allow them to reside in suburbs and to send their children to private schools.

An implication of Wilson's analysis is that blacks should cease fighting new battles with old battleplans. Not surprisingly, some of the old generals who have directed the black attack against pure-and-simple racial discrimination reject the notion that class not race is now the most important determinant of opportunity for blacks. This largely explains the hostile rebuttals to Wilson's thesis launched by Kenneth Clark, researchers for the National Urban League, and the Association of Black Sociologists. Wilson's findings pose several questions that understandably make old-style black leaders extremely uncomfortable. His stress on the socioeconomic gap increasingly separating the black lower class from the black middle class creates problems for



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politicians seeking to promote a black united front. More to the point, Wilson complains that the push for affirmative action, like the civil rights movement, advances the interests of the black middle class while paying insufficient attention to the economic problems of poor blacks.

Wilson also questions the significance of highly touted gains black politicians have made, especially electoral victories in the cities. "The dilemma for urban blacks," Wilson declares, "is that they are gaining political influences in large urban areas . . . at the very time when the political power and influence of the cities are on the wane." The inescapable conclusion is that "the fundamental bases of the urban crisis are not amenable to urban political solutions"—not a happy prospect for ambitious, city-based black politicians.

Wilson maintains, furthermore, that just as the crisis of American cities cannot be solved solely by local solutions, neither can the crisis of black America be solved by blacks alone nor even by merely attaining racial justice. Many mainstream black leaders are understandably suspicious of suggestions that the war against racial discrimination be shifted to a struggle against class subordination of poor people generally. Their hesitation is reinforced by their success during the past two decades in placing racial justice near the top of the nation's domestic priorities. And while the big battles against white racism may have been won, important skirmishes continue to be fought; Cicero, Illinois, and South Boston are only two of the more well-known places where northern whites have resurrected the slogans of southern segregation. Still, the fact remains that the plight of the black poor must be seen in a class as well as a racial perspective, for, as Wilson writes, "the situation of marginality and redundancy created by the modern industrial society deleteriously affects all the poor, regardless of race."

On the other hand, Wilson minimizes too much the continuing power of white racism. He states that his argument "is not meant to suggest that racial conflicts have disappeared or have even been substantially reduced." What he does claim, though, is that since such conflicts have shifted from the economic sector to the sociopolitical realm they "do not play as great a role in determining the life chances of individual black Americans as in the previous periods of overt economic racial oppression."

At least two objections can be raised to Wilson's position. First, he draws an unreal distinction between economic and sociopolitical sectors, for while they are in some sense discrete, they are also intimately interrelated. Wilson places schooling, for instance, in the sociopolitical sphere when obviously it also serves an important role in the economic order as a gateway to employment. Second, even in terms of institutions that are wholly within the economic sector, racially motivated discrimination handicaps blacks as a group, middle- as well as lower-class.

Wilson's insufficient attentiveness to traditional patterns of racial discrimination is most apparent in his discussion of blacks and the unions. Depending far too uncritically upon the views of Bayard Rustin, Wilson speaks of the rise of organized labor during the New Deal as if it were an unambiguous boon to black workers. But as Herbert Hill shows in an excellent new book, *Black Labor and the American Legal System,* the institutionalization of collective bargaining, when it involved segregated unions, detrimentally affected black workers by legally and formally excluding them from jobs. After tremendous struggle, blacks have, as Wilson emphasizes, made significant inroads within union ranks. Yet the large volume of charges filed with the Equal Employment Opportunity Commission by black workers against unions and the many court cases in this area indicate continued resistance by some parts of organized labor to the requirements of civil-rights laws and federal executive orders. Thus, a more accurate, if less catchy, description of contemporary black experience is not "the declining significance of race" but, as Wilson titles one of his subchapters, "the changing context of racial strife."

Wilson's critical discussion of middle-class oriented civil-rights and affirmative-action politics is far more enlightening than the undifferentiated applause Newman et al. give to every sort of protest activity. His analysis, however, is weakened to the extent that he fails to note the historical sources of the debate in which he is engaged. "It is clear," he writes, "that economic divisions now exist among blacks." But important class divisions have existed since at least the turn of the century, and discussions of this fact and its implications long predate Wilson's findings. Alaine Locke, in his seminal 1925 essay "The New Negro," wrote that "if it was ever warrantable to regard the Negro en masse it is becoming with every day less possible, more unjust and more ridiculous." Many of Wilson's seemingly novel conclusions are commonplace to anyone familiar with the literature on the racial crisis. Still, it is encouraging that this



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respectable academic and that successful electoral politicians like Ronald Dellums are bringing the insights of socialists into the mainstream of intellectual and political currents.

SIGNIFICANTLY, neither *Protest, Politics, and Prosperity* nor *The Declining Significance of Race* advance much in the way of programmatic suggestions. Newman et al. offer exhortations to continued protest. Yet, their own evidence indicates that protest along traditional civil-rights lines is of limited effectiveness against barriers rooted in class inequities. The only policy statement to emerge from Wilson's study is an unelaborated call "to attack inequality on a broad class front" in a manner that will "go beyond the limits of ethnic and racial discrimination by directly confronting the destructive features of class subordination."

Which is good, but not enough. □

Barry Bluestone

## Two Economic Models — Analysis, Critique, and Prescription

POLITICS AND MARKETS: THE WORLD'S POLITICAL-ECONOMIC SYSTEMS, by Charles E. Lindblom. New York: Basic Books. 403 pp. $15.00

When a high priest of neoclassical economic theory, Tibor Scitovsky, went off to write a characteristically unneoclassical work entitled *The Joyless Economy*, he lamented (with a twinkle in his eye) that his colleagues felt he had gone a bit daft. No doubt this same fate is befalling Charles Lindblom, professor of economics and political science at Yale and past collaborator with Robert Dahl, the foremost proponent of pluralist theory. Many of Lindblom's colleagues must feel that his latest book is too uncritical of leftist ideology and much too critical of capitalist practice.

I disagree. Lindblom has done a masterful job of detaching himself from romantic notions of market-induced democracy to present a well-balanced analysis of contrasting political-economies. The book's most notable insights derive from Lindblom's careful development of two essentially different models of society. He searches out the salient philosophical roots of societies organized by market *vs.* those organized by plan. "The two heroes of this book," he tells us, "are Adam Smith and Karl Marx."

The first few chapters are devoted to the tedious academic exercise of defining terms: authority, exchange, market, polyarchy, preceptoral system. The remainder of the book weaves this terminology into his two well-defined models, and provides an excellent critique of both communist and capitalist systems.

• Model 1 is the archetype of a centrally directed society. It encompasses the conventional authority system based on brute force, as well as the "preceptor" system wherein government persuasion, exhortation, and education serve to develop the "new man." The fundamental premise of a Model 1 society, Lindblom argues, is not some sadistic drive to dominate mankind, despite the grossest offenses against the human spirit in most communist nations. Rather, proponents of Model 1 believe that scientific analysis and theory are conclusive in discovering the right form of organization for society. With a comprehensive theory of social change, it follows that there is a "correct" line. "Correct" refers to the correspondence of an institution or policy to man's true physical, psychological, and social needs. Consequently, Model 1 is a model of harmony; conflict is resolved through scientific analysis. Knowledge, not volition, guides society, or so it is claimed.

In such a system, the intellectual elite is the political elite. Presumably, it is endowed with the capacity to coax society toward a harmonious solution to the problems of production, allocation, and distribution. Capital markets for the purpose of directing economic investment and democratic procedures for arriving at solutions in the political arena are unnecessary in this model. Neither can serve as a substitute for "correct" analysis.

Though intrigued with the vast potentialities of such a system, Lindblom severely criticizes Model 1 in practice. The stifling growth of communist bureaucracy, the documented cases of incredible inefficiency, and the abuse of civil rights all draw his condemnation. This makes him few friends on the doctrinaire "left," just as his critique of private



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enterprise earns him little favor with dogmatic capitalists.

• Model 2 is associated with market-oriented polyarchy—a system dominated by private control over economic matters and by elected authority over political activity. Such a system, resembling many "democratic" capitalist nations of the world, is founded on the principle that "everyone knows himself to be fallible" and that no synoptic, that is comprehensive, theory of social order exists. Therefore, Model 2 requires that mankind resort to individual preferences as the best indicator of needs and wants. The "correct" solution cannot be known, if it exists at all. This leads to the distrust of any intellectual elite that attempts to impose one. "Conflict itself is seen as healthy for it can be harnessed to bring scrutiny to bear on possibly mistaken institutions and policies." It follows that a Model 2 society will use impersonal markets to direct economic activity and polyarchy ("rule by many") to resolve political matters.

By-products of these organizational structures will almost certainly be sharp contrasts in well-being—pockets of dire poverty, degradation of the environment, and a propensity toward corruption. This also appears to lead to the demise of democracy itself. For Lindblom, neither Model 1 nor Model 2 looks particularly defensible.

For most of us, Model 2 seems to be a better place to begin. Most of us share a fundamental uncertainty about what is "correct" analysis, even though we hold some very strong beliefs. We cling to our civil liberties if only to protect ourselves from someone else's "correct" analysis.

But in Lindblom's opinion, this is nowhere near enough to justify modern forms of capitalism. Some of his finest pages offer an analysis of the privileged position of business, and it's here that he seems doomed to suffer from the Scitovsky syndrome.

LINDBLOM SEES modern business executives as public officials in the market system. They decide the nation's industrial technology, the pattern of work organization, the location of industry, resource allocation, executive compensation; even though subject to significant control, they decide what is to be produced and in what quantities:

> These decisions are turned over to businessmen, both small and large. They are taken off the agenda of government. Businessmen thus become a kind of public official and exercise what, on a broad view of their role, are public functions. The significant logical consequences of this for polyarchy is that a broad area of public decision-making is removed from polyarchal control.

Having relinquished its power over the market, government regards its major function as persuading businessmen to perform their tasks so as to avoid depression or other economic distress. Since constitutional rules forbid government to command an economy, it must offer benefits to businessmen in order to encourage the required performance. The necessary inducements? Lindblom argues they are whatever businessmen desire most: income and wealth, deference, prestige, influence, power, authority, and high profits.

Workers, on the other hand, bring their labor to market without any special inducement from government simply because, lacking capital, workers have no other viable choice. This asymmetry in the pattern of capital ownership is ultimately the major institutional barrier to a fuller form of democracy.

Clearly, there is evidence in daily newspaper accounts of the power of the corporate sector to hold society hostage. Businessmen do so when they demand investment tax credits, capital gains privileges, environmental protection exemptions, antilabor measures, and cutbacks in social services. By simply predicting recession or depression if its interests are not served, the corporate sector has been able to coerce the public to take a fundamentally probusiness position even when that position is against the public's long-term self-interest. Short of the mythical general strike, workers have no such power.

An apologist for business would admit little evidence for Lindblom's heresies. He would point to the limited possibility of a concerted investment "strike." He would deny the ability of business to control political campaigns through corporate funds. And he would ridicule the idea that business molds public opinion.

Lindblom's book does little to prove empirically the corporate dominance in market-oriented polyarchies. What it does suggest is that the mere abdication of production decisions to private capital produces a "rigged lopsided competition of ideas" and ultimately a contradiction of democratic theory itself.

Despite a lack of detailed evidence, there is much to recommend Lindblom's case, though I believe he makes one serious error in theoretical analysis. He does not fully comprehend how much his argument depends on the existence of corporate monopoly. Preceding his discussion of the privileged position



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of business, he argues that "monopoly weakens responses to popular control, but it neither eliminates a response or leads to a perverse one." Monopoly, he concludes, is not the opposite of competition but only a dampening of it.

On the contrary. The existence of large-scale monopoly in all capitalist economies should be at the very core of Lindblom's argument. We can conjecture that, in the absence of monopoly, a free market would prevail and the power of business executives "as public officials in the market system" would be greatly diminished. In a truly competitive world, where there would be no barriers to entry in either capital or labor markets, consumer sovereignty would reign, property would be more evenly distributed, and workers would have substantially greater access to capital. Many of the social diseases of capitalism (e.g., extreme inequality in income, discrimination, high levels of unemployment and inflation) would be forced into partial remission. The ability of business to hold the economy hostage would largely disappear, leaving capitalism and democracy to coexist. The linchpin of Lindblom's criticism of market society would then be gone.

Monopoly does not merely impose a "kind of tax" on market systems. It is, rather, the key determinant in the distribution of property. It prevents new firms from entering existing markets and bars certain workers from certain occupations. This is the ultimate outcome of business monopolies over production, bank monopolies over finance capital, and trade unions over jobs. Monopoly distributes political power by distributing licenses to hold various portions of the economy hostage.

None of this, however, should be taken as an argument for competitive enterprise. That particular capitalist form is irremediably flawed by its inherent nature. Even if a true free enterprise system could be suddenly generated that would obey all of the first- and second-order conditions of the neoclassical economic construct, its half-life would be measured in milliseconds. Like many other man-made products, the free-enterprise system is dynamically unstable. Capitalist competition inevitably leads to monopoly.

The reason is simple. Monopoly plays a crucial role in capitalist society. It shelters individual capitalists and workers from a Hobbesian economic war. In a system where there was neither monopoly nor a central authority guiding allocation and distribution, each worker would be in constant jeopardy of losing his livelihood to someone who offered his labor for a few cents less, and each capitalist in constant jeopardy of bankruptcy. People naturally wish to protect themselves from such internecine battles, and thus monopoly creeps into all aspects of social life.

Over time, the competition for shelter leads to the victory of some supermonopolies and these become the "public officials in the market system" that Lindblom credits with undermining democracy. It is therefore not some theoretical version of capitalism but the inevitable forms it takes in actuality that makes it an undesirable way of organizing society.

IN THE LAST SECTION of his book, Lindblom turns to prescription. Based on his critique of contemporary market systems as undemocratic, and communist systems as hopelessly bureaucratic and inefficient, he seeks some hybrid of the two. He seems impressed with the possibility of scientifically arriving at "correct" solutions for at least some social problems. And he is intrigued with the potentiality of building on the Yugoslav experience with workers' control. There is some vague notion in all of this of market socialism tied to "synoptic" planning. There is also recognition of the trade-off between the privileges of business and government control, but he gives us no hint as to what an optimal level of central authority might be—the level high enough to curb activity injurious to the public domain, but low enough to encourage innovation and production.

Finally, Lindblom reverts to a notion that is rapidly becoming the new panacea among liberal economists: develop a highly discriminating mixture of financial inducements to business with government control over them. "The key strategy," he argues, "is to pay business to waive some of their privileges."

This prescription, in an otherwise exceptional book, is not satisfactory. It disregards the income-distribution issue. Who, after all, will pay for government bribes to business? It tends to be much too technocratic. Can we really believe that such a finely tuned tax and subsidy system could be designed effectively? And it ignores Lindblom's own thesis about market-dominated polyarchies. Will not the corporate sector's ability to "strike" give it disproportionate power to set the tax-inducement schedules as they have done all along?

Yet, one can hardly criticize Lindblom for not finding solutions to problems that have evaded all



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the rest of us for so long. What he has accomplished is a fresh perspective for analyzing the comparative strengths of political-economic systems. I wish more of us were as daft as he and Scitovsky. □

Lester Rodney

## Remembrance of Yiddish Martyrdom

THE LONG RETURN, by Esther Markish. New York: Ballantine Books. 306 pp. Paper, $2.25.

One morning more than a quarter of a century ago, when I made the familiar turn from University Place east onto 12th Street toward "the building," there were some 20 or 30 men near the entrance shouting, "Where are Feffer and Markish?"

The names of these Soviet writers meant nothing to me—I had no background in Yiddish culture. But it was clear that the demonstrators were hurling their question as an accusation toward the nine-story building that housed the Communist party, the *Daily Worker*, and the *Morning Freheit*.

It was one of those odd moments in my time as a Communist when the usual feeling of being part of a passionate little minority either ignored or derided was turned on its head.

That morning *we* were the huge, unreachable establishment, ignoring or deriding a passionate little minority.

I suppose it is impossible to recapture my precise reactions without coloration from today's changed angle of vision. Yet, like many newspaper people, I have a good memory. Whether or not the exact words went through my mind, I did think that these people seemed to feel they had a just cause. There was such a despairing intensity about their question! I was bothered but not disturbed. Was there not an unceasing lie machine in operation against the Soviet Union? I took the elevator to the eighth floor and turned my attention to the real world.

Markish and Feffer, of course, had been murdered, along with most other leading figures in Soviet Jewish culture. In the post-Stalin thaw they were officially rehabilitated and some small amends were made to surviving relatives. But with essentially the same cast of characters, operating with the same absence of accountability, plus an apparent lingering strain of anti-Semitism, the thaw didn't last long—as the Markish family found when it tried to move to Israel.

The Russians are no longer putting bullets into the back of people's heads, a change not to be minimized, especially if you live in their orbit. But gratitude for the fact that dissenters and would-be emigrées are only being sent to barbaric prisons or psychiatric wards is an Alice-in-Wonderland reaction to a regime that claims moral superiority over the likes of the United States, England, France, and Holland.

Esther Markish is one whose sense of outrage at evil has never dulled. Now, in Israel after years of Soviet harassment, the widow of the martyred Peretz Markish has written a remarkable book. She lived through it all, and her testimony addresses the very questions one wants answered: What was the texture of life for the intellectual Jewish community during the Stalin Inquisition? How did the victims themselves rationalize what was happening? Were there no Russians who responded with shock, humanity, empathy?

One day during their refusenik years, the surviving Markishes donned the yellow Star of David in the manner prescribed by Hitler. ("The Communists loathe being reminded of the fascist nature of their regime," she writes.)

For those who peculiarly throb to the drama of Sakharov shouting at the tormentors of Ginzburg's mother outside the Moscow courthouse—"Hear a member of the Academy; you are not people, you are fascists!"—or to Czech Communists in 1968 painting swastikas on Soviet tanks, here is a book that meshes with these tragedies. Esther Markish has it firmly in focus. Her own brother Shura, in a Siberian prison on a preposterous frameup, his teeth knocked out, kidneys bruised, and head scarred from beatings, cried out defiantly, "Long live Stalin!"—convinced there had been a fascist takeover in Moscow. (The guards laughed.)

Esther Markish tells how her father and other NEP businessmen and their relatives were beaten



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and herded into a shakedown session (many, many years before the "late mistakes" of Stalin). An official screams at them, "Lenin said that in the land of the workers gold would be used for the construction of public toilets. Let us then repent and surrender all our gold." The author tells us that the captives "listened to all this raving madness and were not permitted to close their eyes until dawn. . . ." Though she would probably reject characterization as an ideologue, she knows how to make her political point. She speaks later of one old friend who, "with one foot already in the grave, indefatigably burns incense before the ikon of Lenin, as she did yesterday before the ikon of Stalin."

FOR MYSELF, *The Long Return* also provides an education as to what was once Soviet Yiddish culture—its theater, literature, and particularly the élan of its creative personnel. Saying that her book has the virtue of humdrum detail does not mean it lacks literary quality and bold insights. Describing the atmosphere at their Moscow apartment in the '30s, she notes that while Markish had some intimate friends, "the relationship was never unconditional, one he could not live without. He was in harmony or dissension only with himself; his entourage merely took part in that harmony or dissension." She perceives and respects the nature of creative genius, irksome as it can sometimes be in close contact. But, unlike some biographers of prominent husbands, she never tries to blink his political obtuseness and make of him what he was not.

"The destruction of millions of Russian peasants did not touch us directly," she writes, "and we shut our eyes to it. No matter how painful it is for me to make this admission. . . ." Later she adds that Markish was incapable of "thinking through a political situation to the end and drawing the conclusions." "But then," she continues, "perhaps he did not want to. If he had thought through and drawn conclusions from . . . the signing of the Nazi-Soviet pact, for instance, he would either have had to commit suicide or, at the least, stop writing."

And not only Markish. Infused with enthusiasm for a revolution that would end ghettoism and pogroms and liberate the Yiddish language to flourish freely along with the other cultures, many Soviet Jews must have stubbornly resisted "drawing conclusions."

The Jewish writer Ilya Ehrenburg, another cut of cat, does not fare too well in this testimony. Esther Markish seems to credit him with sincerity in his denial of complicity in the arrest of Markish and other members of the Jewish Antifascist Committee. But, she says: "Ehrenburg was too intelligent not to understand the shameful role of *shirmach* (thieves' decoy) that had been assigned to him during the period of the pogrom." Ehrenburg said he constantly dreamed of Markish, and he bemoaned the terrible price he (Ehrenburg) paid for "loyalty to people, to the age, to fate." Comments Esther Markish: "Why such high flown phraseology, why such lowdown evasiveness? I do not reproach Ehrenburg a posteriori. I merely wish to make it clear that his cowardice should not be taken for courage." She mentions Ehrenburg once more, not without warmth, when, aged and ill, he sent an eloquent tribute to a memorial anniversary for Markish in 1960. The last sentence of the tribute was: "Yes, it was worth writing like that, and a life like that was worth living." (Was this a painful final comment on his *own* life?)

Recalling the period when the war drew to an end, Esther Markish writes: "Could we ever imagine then that the victory over Nazi Germany was to usher in the most terrible period of our lives?" The Markishes knew this was closing in on them when the authorities shut down Der Emes Publishing House, the Yiddish printing center in Moscow. She describes how ". . . without a word of warning—as in a movie about Nazi Germany—trucks filled with State Security agents pulled up."

When the poet Golodny was run over by an official car on a Moscow street, and Bergelson and Kvitko were arrested, Markish sent his most prized manuscripts out of the apartment with a relative. Just in time.

> And then they started banging on the door [Esther Markish recalls]. Markish went and opened it. I heard the shuffling of many feet in the vestibule. A moment later, Markish appeared in the study, already dressed in his coat, scarf and hat. Seven officials followed him in, their uniforms hidden by their civilian coats with gray karukul collars. On their heads were *shapkas*, trimmed with the same gray karakul. The outfit was familiar to every Soviet citizen, for it identified the wearer as an agent of the KGB.
>
> When I saw them there, standing behind Markish, I screamed.
>
> "Come now, no need to get excited," one of the officers said. "Our minister just wants to have a talk with your husband . . . take it easy, get hold of yourself. . . ."

This says much. Are you conned or confused by a façade of civility, or do you look straight through to the horror—and *scream?*



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The Markishes were never to see or hear from their husband and father again. For five months after his execution in August 1952, Esther got receipts for cash she sent to the authorities for him (he never got any of it). Can one fault her for writing in such absolutes: "The naiveté of the Soviet citizen is indestructable, while the perfidy and baseness of the Soviet regime knows no limits." The entire Markish family was soon sent into Siberian exile (transported through Moscow in the famous closed van labeled "Bread").

Esther Markish goes out of her way to salute some Russians, including a prison guard in Siberia, a chemist who wanted to adopt her son Simon to protect him, university examiners impressed by him who wanted to help his career ("Oh these Soviet paradoxes," she writes), and also a Ukrainian who headed the factory in the town of their exile. He treated the Markishes with great respect as the family of a writer, managed special kindnesses for them, and "even questioned the justice and rectitude of the sentence that had been meted out to us, saying 'Do you mean to tell me **that children are answerable for their father?'" (This good guy didn't go so far as to question the guilt of the father.)**

If Soviet apologists want to take comfort from this book they can find it in her view that the regime is not as bad as Hitler's. Referring to a friendly official who looked them up after their exile, she notes:

> The relations between the regime's victims and its agents did not always conform to official regulations or to the formulas of class struggle against "the enemies of the people." This is another way, it seems to me, in which Soviet totalitarianism compares favorably with Nazi totalitarianism. [And again:] If German punctiliousness and methodicalness had ever superimposed itself on "socialist" bloodthirstiness, life would have been a real nightmare.

SOVIET REALITY in 1978 is a little more complex than what we have learned of the worst of the terror. Yet, as Markish's widow reminds us: "To this day, many of those responsible for that crime [the murder of the Jewish cultural leaders] are at liberty."

A reviewer who would characterize himself as an advocate of detente, who opposes the Jackson-Moynihan hard line and does not believe there is, or ever was, a Soviet plot to conquer the world or even to invade the NATO countries, can sit at his typewriter in California, seek a little historical balance, welcome changes for the better in the Soviet Union, even dimly hope that the original ideals of the revolution may one day yet surface in a more peaceful world.

But as Esther Markish will not let us forget, over there, when the men in gray karakul collars come, people do not have that luxury. They must scream. □

Alexander Rabinowitch

## 1917: Coup or Revolt?

BLACK NIGHT, WHITE SNOW: RUSSIA'S REVOLUTIONS 1905-1917, by Harrison E. Salisbury, Garden City, New York: Doubleday. 746 pp. $15.95

The great virtue of Harrison Salisbury's most recent book, his eighth on Russian subjects in a lifetime of thinking and writing about the Soviet Union, is its high literary quality. *Black Night, White Snow* is a voluminous, compelling narrative that should provide many enjoyable hours to devotees of powerfully written history. Especially memorable are Salisbury's descriptions of the execution in 1877 of Lenin's brother (the episode with which the book begins), and of the events surrounding "Bloody Sunday," which touched off the 1905 revolution. Nowhere in the vast literature on the period can one find more poignant, generally accurate depictions of the chaotic final days before Nicholas II's abdication in March 1917, and of the Provisional Government's last desperate hours in the Winter Palace the following October. The glimpses that Salisbury provides into the world of Russian culture during key moments and his engrossing accounts of how individual artists and writers and representatives of the aristocracy responded to revolutionary events, based on an extraordinary familiarity with a multitude of recollections and literary works, are a genuine contribution to historical literature.

These considerable merits notwithstanding,



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*Black Night, White Snow* falls short of being the major reinterpretation of one of the most important events of modern times promised in the Introduction. The book's shortcomings in this respect appear to derive in part from the natural difficulty contemporary Western liberal writers in general have in viewing Lenin and Bolshevism with detachment. The book's weakness as a serious work of historical scholarship also stems from its author's overdependence on a numerically large but substantively limited body of memoirs as a source of information, to the neglect of published documents and daily newspapers, and emphasis on the entertaining and dramatic, often at the expense of systematic analysis.

Salisbury's treatment of the events of 1917 illustrate his book's strengths as well as its weaknesses. His account of these turbulent months, comprising roughly a third of the book, is fuller and more balanced on developments leading to the collapse of the Czarist regime than it is on the subsequent deepening of Russia's political and social crisis and on the emergence of Bolshevism as a potent political force.

Salisbury enlivens his narrative with eyewitness accounts and engaging colorful detail—from moving sketches of the royal family's at times surprisingly carefree days under house arrest to spritely descriptions of Petrograd night life and high-society gatherings (down to guest lists and even what some people wore). All well and good. But lost in the mélange of sometimes contradictory firsthand observations and scattered impressions is a meaningful sense of more complex political developments and social processes, which greatly affected the way things turned out. The fluctuating political perceptions and aspirations of the so-called dark people (workers, peasants, sailors and soldiers at home and at the front) are insufficiently explained. Other problems with significant historical implications, such as changes in the makeup and policies of the various Provisional Governments, the outlook and programs of the Menshevik and SR leadership in the Soviet, and the background and impact of such key events as the April crisis, the July days, and the Kornilov affair are also given relatively scant attention. The same is true even for some of the most important aspects of Bolshevik internal and external politics, which bear upon the party's behavior and political stance. One of the unfortunate results of this is that the connection between expanding popular dissatisfaction and the fluctuating situation of the Bolsehviks, in short the relationship between the revolution from below and the eventual Bolshevik success, remains obscure.

In the broadest outline, the view of the October revolution that emerges from Salisbury's account is this. A swing in favor of the Bolsheviks took place in early September 1917, primarily because of widespread hunger for peace. As mass anarchy expanded, Lenin, hiding out in Finland, concluded that an opportune moment for the seizure of power had arrived. Lenin's subsequent obsession with the organization of an immediate uprising, Salisbury continues, is explained by the fact that he was a classic manic-depressive on a sharp upswing. "His cry was manic: now or never." However, Lenin's associates in Petrograd, because they were without exception more politically moderate than he, stubbornly resisted his entreaties for a coup until October 10 and Lenin's return to the capital. Then, in time-honored fashion, Lenin's "bulldog tenacity, skill in argument, and passionate conviction" overwhelmed his colleagues. Yet even as the ultimately successful coup was being organized, Lenin's followers were in complete disarray and reluctant to act decisively; in Salisbury's words, "seldom had a group of plotters for power been more confused and at odds on the eve of their great adventure . . . the most publicized, most disorganized, most needless coup in political history was stumbling ahead toward its climax."

Of the belated military action against the Provisional Government, culminating in Kerensky's flight to the front and the capture of the Winter Palace late on October 25, Salisbury writes,

> almost nothing was planned and what did happen was often accidental. The Bolsheviks did not seize power in one bold clandestine move. They blundered into power, divided, fighting against each other, and until the final moments Lenin had only an occasional role in what happened. Kerensky and his Government were not crushed by the steel power of valiant revolutionaries. He and his supporters skidaddled off the political stage protesting that they were not really leaving, merely regrouping strength for the final climactic battle—a battle which was never fought.

Explaining why Lenin did not participate in preparations for the seizure of power in Smolny until the battle was nearly over, Salisbury speculates that, among other things, "it may have been more compatible with the state of his [Lenin's] nerves" or possibly "at the last moment he had actually fallen into another of his fits of despondency." Later, in a comment that gets at the heart of the October revolution in Petrograd as Salisbury perceives it, Salisbury adds that "only a handful of



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Petrograd citizens knew or cared what was going on. . . . Hardly a popular uprising."

IT MAY BE that readers of Salisbury's book will find this interpretation convincing. This reviewer's reading of the available evidence, however, departs from Salisbury's view in several important respects. For the roots of "Red October" can in fact be found in the peculiarities of Russia's political and social development in the 19th century. Whether Western-style liberalism ever had a chance in Russian circumstances is arguable. With the wisdom of hindsight, what seems certain is that, for liberals, the collapse of the Czarist political system came at the worst possible time. It came at a time when, among other things, the Russian countryside seethed with discontent; when the aspirations of ever-growing numbers of factory workers were untempered by significant economic and social gains; when the middle class, upon whom a meaningful democratic system would inevitably have to be based, was still quite small; and, most important, when the chances for liberals to deal forthrightly with the country's ills were severely circumscribed by their commitment to the broadly unpopular, ultimately disastrous war effort.

Almost from the start, liberal and moderate socialist leaders, allied behind the ill-fated Provisional Government, were engulfed by an unprecedented mounting political, economic, and social crisis, with which they were helpless to deal. Within a matter of weeks, vast numbers of ordinary Russians, dissatisfied with the meager results of the February revolution, had come to view the Provisional Government as an organ of the propertied classes, opposed to fundamental political change and uninterested in their needs. To the contrary, the soviets were contrasted more and more positively with the Provisional Government and viewed as genuinely democratic institutions of popular self-rule. In the wake of the Kornilov affair, the abortive rightist putsch of late August, among politically conscious workers, soldiers, and sailors in Petrograd, for example, aversion to continued political collaboration with the liberals and attraction for the immediate creation of a strong, democratic, exclusively socialist government, in which all groups in the Soviet would be represented, became nearly universal. The same mood prevailed in many other areas of the country and among soldiers at the front. Given the close correspondence between this goal and the public Bolshevik program, and the fact that the Bolshevik party was then the only major political party not discredited by support for the Provisional Government or the war effort, the odds were good that the party would eventually claim at least a considerable share of national power. Nonetheless, the political climate remained extraordinarily fluid and highly volatile. Everything still depended on the Bolsheviks playing their cards right.

Lenin's immense historical importance in the October revolution stems from the fact that he recognized the potentialities of the prevailing situation for the extreme left and boldly oriented the Bolsheviks toward a socialist revolution at a time when few others were thinking in these terms. But what Lenin did not see was that, broad popular support for the slogan "All Power to the Soviets" notwithstanding, an immediate party-organized insurrection would have been politically suicidal. The Bolsheviks were spared a possibly decisive defeat because the party had been so structured and organized that major policy matters (including directives from Lenin) were as a matter of course freely debated and voted upon, with significant impact from factions holding widely varying opinions and from all levels of the party hierarchy; as a consequence, decision-making and the party's behavior were closely attuned to rapidly changing circumstances.

TWO DISTINCTLY DIFFERENT points of view from that of Lenin emerged during continuing, wide-ranging debates over the seizure of power among Bolshevik leaders in Petrograd in the fall of 1917. The first was represented by Leo Kamenev. Kamenev and Bolshevik leaders of his persuasion were opposed to an early socialist revolution in Russia on the most fundamental ideological as well as practical grounds. They called for cooperation among all major socialist groups and the creation of a "caretaker," exclusively socialist coalition government until the establishment of a democratic republic by the Constituent Assembly. Perhaps the most important thing to be said about the thinking of these moderate or "right" Bolsheviks was that, in most important respects, it corresponded to mass aspirations and to the views of left Mensheviks and left SR's. Because of this, right Bolsheviks were often the most effective and popular party spokesmen in such institutions as the soviets. The other important thing to be said about the arguments of the right Bolsheviks is that many of their pre-October warnings, regarding the wishfulness of counting on significant aid from revolutionary workers abroad and the enormous



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problems that would inevitably arise if power were seized and if an attempt were made to build socialism in backward Russia alone, appear in retrospect to have been quite perspicacious.

A second point of view regarding the seizure of power among Bolsheviks in the fall of 1917 was that of national and local leaders on the spot who, like Trotsky, fully shared Lenin's fundamental assumptions regarding the necessity and feasibility of an early socialist revolution in Russia but were skeptical of successfully mobilizing the masses behind "the immediate bayonet charge" envisioned by Lenin. In part because of their continuing interaction with workers and soldiers, these leaders possessed what appears to have been a more realistic appreciation than Lenin had of the limits of the party's influence and authority among the masses, and of the latter's attachment to the soviets as legitimate democratic organs in which all genuinely revolutionary groups would work to fulfill the revolution. Hence they advocated, among other things, that the overthrow of the Provisional Government be delayed until a suitable excuse for giving battle presented itself; that, if possible, institutions of the Petrograd soviet and not organs of the party be employed for the government's overthrow; that, to undercut potential resistance, every opportunity be utilized to subvert the Provisional Government's power peacefully; and that, for broadest possible support, the formal replacement of the government be linked with and legitimized by the decisions of a national Congress of Soviets. Such a course might well have led to the creation of a socialist coalition government, including moderates, rather than to a government of the extreme left alone. But it appears that Lenin was one of the very few top Bolshevik leaders to whom the risks of an independent, ultraradical course were outweighed by impatience to create an exclusively leftist regime at once.

Albeit with considerable wavering, caused largely by pressure for bolder action from Lenin, it is easy to see that, in overthrowing the Provisional Government, the Bolsheviks pursued precisely the tactics urged by Trotsky and like-minded party leaders. On October 21-23, using as an excuse the government's announced intention of transferring the bulk of the Petrograd garrison to the front and cloaking every move as a defensive measure against the counterrevolution, the heavily Bolshevik-influenced Military Revolutionary Committee of the Petrograd soviet took control of most Petrograd-based military units, in effect disarming the Provisional Government without a shot. In response, early on the morning of October 24, Alexander Kerensky, the prime minister, initiated steps to suppress the left. Only at this point, just hours before the scheduled opening of the Congress of Soviets, did the military insurrection that Lenin had been demanding for well over a month actually begin.

The argument has been made that the belated violence of October 24-25 was of crucial historical importance because, by compelling the main body of Mensheviks and SRs to withdraw from the Second Congress of Soviets, it prevented the creation of a socialist coalition government in which moderate socialists might have had a strong voice. Thus it opened the way for the formation of a Soviet government completely controlled and dominated by the Bolsheviks. The evidence indicates that this was indeed the case. A more crucial point, however, is that only in the wake of the government's direct attack on the left was an armed uprising along Lenin's lines feasible.

FROM THIS PERSPECTIVE, the October revolution in Petrograd was in large measure a genuine expression of popular forces, as much an intricate political and psychological struggle as a military operation, in which the fate of the Provisional Government, though not the character of the regime that was to replace it, was determined well before the "coup" focused upon in *Black Night, White Snow*. In view of the foregoing, as well, the action of the Bolsheviks during the October days was as different from the contemporary Soviet model of an essentially highly disciplined party marching to inevitable victory at Lenin's command as it was from Salisbury's conception of the confused group of plotters, without popular support, stumbling ahead to their great adventure and blundering into power. □



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# LETTERS

## Author's Reply

Editors:

Robert Lekachman's review of my *The Bard of Savagery: Thorstein Veblen and Modern Social Theory* (Fall 1978) manages to combine intellectual distortion with moral complacency. Perhaps it is wise not to reply to reviews, bad or good, but when one finds a reviewer advising an author to do the very thing he tried to do—"excise speculation about the connections between Veblen's personality and his opinion," as I did in my critcisms of David Riesman's psychoanalytic interpretation—one can only conclude that Lekachman chose to give his own discourse on Veblen rather than read the book carefully and critically. How else does one explain his clinching, if cryptic, put-down?

> Diggins's uncertainty as a biographer is exemplified by a paragraph in which he both terms Veblen a philanderer and concedes that he was the passive party in the many affairs with women that scandalized contemporaries in colleges where smoking was grounds for expulsion and professors of mathematics opened classes with prayer. Even in hands more adroit than Diggins's, psychohistory is a tricky genre.

I rub my eyes! Not only did I emphasize in the preface that the book is an exercise in comparative social theory but I stressed again and again that I am not writing "biography" and am critical of the use of "psychohistory" in the field of intellectual history (pp. xi, 37, 233-34, passim). If I do make comments about Veblen's personality it is only because his eccentricities continue to baffle us and not because I want to interpret adult behavior from childhood experiences. Incidentally, why is it inaccurate to call Veblen a philanderer simply because he did not pursue women aggressively? He was, as I pointed out, "more seduced than seducing" even in his relations with faculty wives. He seldom made the first pass, and indeed he didn't even become interested in other women until his forties. No wonder he was critical of the marginalist principle of "diminishing return."

Lekachman concludes by complaining "that Diggins is too humorless a chap to derive entertainment from his subject." Actually I thought there were some funny moments in the book, which Riesman has praised for its "wit." But the issues I raised in the course of evaluating Veblen's ideas in relation to those of other social philosophers are too serious to be treated as "entertainment." Readers of *Dissent* may be interested to know that Marx's ideas are critically examined, as indeed they were by Veblen, and found gravely deficient. Such problems as Marx's labor theory of value, his concentrating on production to the exclusion of consumption, his seeming indifference to the social-psychological compulsions of "emulation," his Hegelian synthesis of matter and spirit, his unconvincing explanation of the commodity fetish as simply an aspect of exchange value, and his (and Engels's) failure to explain the origins of property, slavery, and the "barbarian status" of women are issues that Veblen studied from different and perhaps more telling perspectives because he had access to later anthropological data unavailable to Marx. I am convinced that Marxist socialism rests on profoundly questionable theoretical premises, not the least of which is Marx's tautological explanation of the phenomenon of alienation. I am also convinced that we must clear the air of much of the cant of the '60s before social theory can once again address itself to social problems. It is for this reason that Veblen, whom Theodore Adorno and Max Horkheimer esteemed as "America's greatest sociological critic of capitalist culture," must be taken seriously as a theorist and even as a moralist, and not treated merely as a satirist whose main function is to "entertain" us.

I only wish that Lekachman had addressed himself to the important issues instead of lamenting the absence of humor, a complaint that reflects his own limitation as a reviewer with a weakness for popular journalism. When John Dos Passos etched his marvelous portrait of Veblen in *The Big Money* he titled it "The Bitter Drinkm ' Perhaps only those skeptical of socialism are in a position to realize what escapes the complacent academic: capitalism is no laughing matter.

J. P. DIGGINS
Laguna Beach, California □

ROBERT LEKACHMAN Replies:

Authors are seldom good authorities upon the merits of their own style and literary strategies. The curious will need to consult Diggins's book in order to decide the merits of my comments on these matters. Although my review as a whole obviously took Veblen seriously, I may have been less clear about my judgment that Diggins contributed nothing novel in his analysis of Veblen, Marx, Engels, or Weber.

He is correct about one point. It really is inadvisable to reply to critical reviews. There is always the danger that the response will support the reviewer's complaints. □

## On "Solzhenitsyn and Freedom of the Press"

Editors:

David Bromwich writes about Solzhenitsyn's Harvard attack on the freedom of the Western press, in *Dissent*, Fall 1978, "His attack on another highly visible beneficiary of that principle should be most disturbing to those who have been the greatest admirers of his courage."

I do not think so: Solzhenitsyn, who is somewhat like Tolstoy, should not be regarded seriously for his blast at Western journalists. He is to be regarded as eccentric and as Bromwich himself admits, "isolated" and "astonishingly without curiosity" about America.

Western journalists, of course, are not legally appointed or elected. Their position is based on the talent to write. They must write in a manner readable by the public: otherwise they have no position. This, probably, is too unstructured for a profound thinker to grasp.

Bromwich's article is excellent in every other way, but I do not think we should find Solzhenitsyn's attack "most disturbing." There is a possibility, is there not, that Solzhenitsyn may, in due time, change his opinion?

RISTO MARTTINEN
Falls Church, Va. □

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**Advertisement**

A Public Service Message from the American Income Life Insurance Company of Waco, Texas—Bernard Rapoport, chairman of the board and chief executive officer.

# Economic Immunization

by Bernard Rapoport

The obvious: in numbers as well as in influence, bureaucracy is increasing in geometrical proportions and this bureaucratic spirit seems to be (in the same proportions) smothering the individual's attitude relative to his access to those who are in control of our society. It leaves many of us with the view that it is easier to contain corruption than power.

Two of man's most glorious discoveries in my view are democracy and capitalism. My concern is whether we can continue to enjoy either of them. Concomitant with the bureaucratic picture and equally debilitating is an increase in the concentration of economic and political power. Fewer and fewer companies dominate the economic scene and in a political sense federal control is totally overshadowing state and local government. Multinational corporations have their tentacles in every part of the world.

We always are puzzled over which came first, the chicken or the egg. In our world the beginning is with economic power. As it becomes increasingly concentrated, less and less opportunity is afforded as to the possibilities for an individual to have a realistic opportunity to go into business for him or herself—in effect, a denial of the opportunity that capitalism is supposed to represent.

The work ethic is an integral part of the justification for democracy and capitalism not only here in America but in Western Europe as well. Unemployment is a condition that we are beginning to accept as normal. We can't quite decide whether 6%, 8%, or 4% is acceptable. Perhaps the answer will be supplied by a bureaucracy established to make this determination.

As we proceed along the lines of increasing monopoly and monopsony, as a society we become less sensitized not only to the economic cost of unemployment but to the great social cost that goes along with it.

A society that provides realistic opportunity is one that has a constant stream of capital formation. It not only reinforces the commitment to capitalism, but since newer businesses are more labor intensive, it provides a more realistic answer to avoiding unemployment.

When we consider the effects of monopoly and monopsony, I submit that they thwart the opportunity for capital formation because the sums required in monopoly enterprise are so vast that when we get to the point where we seem to be today, to wit, there is just not sufficient means with which to provide capital requirements. The truth is if we had an infinitely larger number of businesses in America, the requisites for capital formation for such businesses would not be nearly as severe as what we are experiencing in our country today.

We are reluctant to admit that man's nature is aggressive. It doesn't have to be, perhaps, but as Dennis Gabor said:

> I believe in the perfectibility of man, because this is the only working hypothesis for any decent and responsible person. But I know of the most infinite corruptibility of man. History is mostly a sad tale, full of nauseating examples.

Since this is the record, it would appear that the only meaningful alternative is real competition. The thwarting of the trend toward monopoly is best achieved by creating those laws that will prevent its occurrence. The proper approach to eliminating monopolies is through the taxing device—yes, a tax on bigness. For example, if the company did $100-200 million a year in business there would be 1% tax on gross sales; $200-300 million, the tax would be 2%; $300-400 million, 3%; $400-500 million, 4%; $500-600 million, 5%; and so on. In other words, if one bought a car from General Motors the tax might be $10,000 or $12,000 and a similar car from American Motors would have a tax of $30 or $40.

*(To be continued)*

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# CELEBRATIONS AND ATTACKS

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